The Library of Congress'

EARLY STATE RECORDS PROJECT

converted from the original microfilm held by the
Vincent C. Immel Law Library, Saint Louis University

through the generous support of a grant from the

Council on Library and Information Resources

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES

OF THE

TERRITORY OF WASHINGTON,

OF THE

SESSION OF THE LEGISLATIVE ASSEMBLY

BEGUN AND HELD

AT OLYMPIA, THE SEAT OF GOVERNMENT, UPON THE FIRST MONDAY OF OCTOBER, 1871.

OLYMPIA:
PROSCH & McELROY, PRINTERS.
1871.

JOURNAL

OF THE

HOUSE OF REPRESENTATIVES.

HOUSE OF REPRESENTATIVES,
Monday, October 2, 1871.

This being the day prescribed by law for the meeting of the Legislative Assembly of the Territory of Washington, the members elect of the House of Representatives convened in the Representative Chamber, and were called to order by Elwood Evans, Chief Clerk of the House at its last session.

On calling the roll the following members answered to their names:

Messrs. Winans, Scott, Ping, Lloyd, Whetstone, Cock, Brazee, Kerns, Maxwell, Maxon, Abbott, Gray, Barstow, Gosnell, Bigelow, Brewer, Campbell, Judson, Moore, McConaha, Sinclair, Coupe, Finkbonner, Hovey and Noyes.

A quorum being present, Mr. Maxon moved that the House proceed to a temporary organization by the election of J. J. H. Van Bokkelen, Speaker *pro tem.*

Motion carried.

Messrs. Maxon and Brazee were appointed a committee to conduct the Speaker to the chair.

The House then proceeded to the election of a Chief Clerk.

Mr. McConaha nominated William S. Baxter, who was duly elected Chief Clerk *pro tem.*

The House then proceeded to the election of an Assistant Clerk *pro tem.*

Mr. Maxon nominated W. Byron Daniels, who was duly elected.

The House then proceeded to the election of a Sergeant-at-arms *pro tem.*

Mr. Cock nominated David Wallace, who was duly elected.

The House then proceeded to the election of a Doorkeeper *pro tem.*

Mr. Barstow nominated David Helsler, who was duly elected.

The House then proceeded to the election of a Chaplain *pro tem.*

Mr. Maxon nominated Rev. A. C. Fairchild, who was duly elected.

Prayer by the Chaplain.

On motion of Mr. Winans,

A committee on Credentials was appointed.

The Speaker announced as said committee Messrs. Winans, Coupe, Bigelow, Brance and Judson.

On motion of Mr. Winans,

House adjourned till 10 A. M. to-morrow.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, October 3, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Finkbonner, Gray, Howey, Judson, Kearns, Lloyd, Maxwell, Maxon, McConaha, Noyes, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Prayer by the Chaplain.

Journal of Wednesday read and approved.

Mr. Winans, from the committee on Credentials, made the following report:

MR. SPEAKER—

Your committee on Credentials, beg leave to say that they have performed the duty assigned them, and submit the following report:

Your committee find the following named gentlemen returned as members of the House of Representatives of Washington Territory Legislature, to-wit:

Klikitat and Yakima Counties—H. D. Cock.

Stevens—W. P. Winans.

Pierce—R. S. Moore.

Pierce, and Mason—Stephen Judson.

Walla Walla—John Scott, A. G. Lloyd, E. Ping, T. M. Whetstone, J. H. Lasater, David Ashpaugh.

Cowlitz and Wahkiakum—G. P. Gray.

Lewis—W. B. Gosnell.

Pacific—Charles Barstow.

Island—Thomas Coupe.

Skamania—J. W. Brazee.

Thurston—R. Brewer, D. R. Bigelow.

Thurston and Chehalis—E. Campbell.

Snohomish—W. B. Sinclair.

Clarke—W. Abbott, Jas. A. Kerns, S. D. Maxon, G. W. Maxwell.

Kitsap—C. J. Noyes.

Kitsap and Jefferson—S. W. Hovey.

Jefferson—J. J. H. Van Bokkelen.

Clalm—Elliott Cline.

King—T. D. Hinkley, G. N. McConaha.

Whatcom—C. C. Finkbonner.

All of which is respectfully submitted.

WM. P. WINANS,
Chairman.

On motion of Mr. McConaha,

Report of committee was adopted.

Whereupon Mr. Maxon moved that the Hon. J. C. Clements, Secretary of Washington Territory, be requested to appear within the bar of the House to administer the oath of office to the members elect.

Mr. Judson moved an adjournment until to-morrow morning at 10 o'clock.

Motion lost.

The Secretary not being present,

On motion of Mr. Winans,

A recess of 15 minutes was declared.

At the expiration of the fifteen minutes, the House was again called to order.

Upon calling the roll the following members answered to their names:

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Finkbonner, Hovey, Kerns, Lloyd, Maxwell, Maxon, McConaha, Noyes, Winans, Sinclair and Mr. Speaker.

On motion of Mr. Cock,

The Sergeant-at-arms was dispatched to call in absent members, and reported none within hearing.

The Speaker then announced that a quorum being present, the House would proceed to business.

The Secretary then administered the oath of office to the members present.

On motion of Mr. Cock,

The temporary organization, so far as made, was declared the permanent organization of the House.

The House then proceeded to the election of Enrolling Clerk.

Mr. Winans nominated A. B. Young who was duly elected.

The Secretary of the Territory then administered the oath of office to the following officers:

J. J. H. Van Bokkelen, *Speaker;*

W. S. Baxter, *Chief Clerk;*

W. Byron Daniels, *Assistant Clerk;*

A. B. Young, *Enrolling Clerk;*

Rev. A. C. Fairchilds, *Chaplain;*

David P. Wallace, *Sergeant-at-arms;*

David Helsler, *Doorkeeper.*

The officers having been sworn in,

On motion of Mr. Maxon,

The rules and orders of last session were adopted for the temporary government of this House.

On motion of Mr. Judson,

House adjourned until 10 A. M. to-morrow.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, October 4, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Cline, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Mr. Brazee,

The Secretary of Washington Territory was admitted within the bar of the House and administered the oath of office to the members elect who were absent yesterday.

The Speaker announced the standing committees as follows:

ELECTIONS.

Messrs. Noyes, Maxwell, Brewer, Abbott and Ashpaugh.

RULES AND ORDERS.

Messrs. McConaha, Cock and Brazee.

FEDERAL RELATIONS.

Messrs. Bigelow, Barstow, Kerns, Cline and Gosnell.

WAYS AND MEANS.

Messrs. Sinclair, Maxon, Campbell, Gray and Judson.

EDUCATION.

Messrs. Bigelow, Finkbonner, McConaha, Lasater and Lloyd.

JUDICIARY.

Messrs. McConaha, Coupe, Sinclair, Lasater and Moore.

MILITARY AFFAIRS.

Messrs. Cock, Maxon and Scott.

ROADS AND HIGHWAYS.

Messrs. Finkbonner, Kerns and Hinkley.

ENGROSSED BILLS.

Messrs. Brewer, Coupe and Ping.

ENROLLED BILLS.

Messrs. Winans, Sinclair, Campbell, Scott and Whetstone.

INDIAN AFFAIRS.

Messrs. Finkbonner, Maxwell, Cock, Brazee and Lasater.

PRINTING.

Messrs. Campbell, Coupe, Ping, Cline and Maxwell.

COMMERCE.

Messrs, Hovey, Coupe, Noyes, Cline and Lloyd.

CORPORATIONS.

Messrs. Maxwell, Coupe, Cock, Brazee and Gosnell.

AGRICULTURE.

Messrs. Maxon, Bigelow and Moore.

TERRITORIAL LIBRARY.

Messrs. Brewer, Kerns and Abbott.

MINING.

Messrs. Maxon, Cock and Gray.

COUNTIES.

Messrs. Cock, Maxwell, Coupe, Brazee and Gosnell.

On motion of Mr. Maxon,

The Clerk was instructed to notify the Council that the House had permanently organized and was prepared to proceed to business.

The Clerk returned and reported to the House that the Council had not yet organized.

On motion of Mr. Bigelow,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATVIES,
Thursday, October 5, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Journal of Wednesday read and approved.

Prayer by the Chaplain.

Mr. Cock then gave notice that on to-morrow or some future day he would introduce a bill apportioning the representation of the Legislative Assembly of Washington Territory.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
October 5, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives that the Council has permanently organized and is now ready to proceed to business.

ELWOOD EVANS,
Chief Clerk.

COUNCIL CHAMBER,
October 5, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. J. No. 1—As to waiting upon the Governor.

And request the concurrence of the House of Representatives therein.

ELWOOD EVANS,
Chief Clerk.

C. J. R. No. 1—Relative to waiting upon the Governor.

Resolution read first time.

Resolved by the Council, the House concurring, That a joint committee, consisting of three members from the House and two from the Council, be appointed to wait upon his Excellency the Governor, and inform him that the Legislative Assembly is now organized and ready to receive any communication he may be pleased to make.

On motion of Mr. Cock,

The rules were suspended, resolution read a second time by title.

On motion of Mr. Bigelow,

The rules were further suspended and the resolution read third time and passed.

On motion of Mr. Bigelow,

The clerk was instructed to report forthwith to the Council the passage of said resolution.

The Speaker then announced the following committee on the part of the House under C. J. R. No. 1: Messrs. More, Brazee and Winans.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
October 5, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House that Messrs. Calhoun and Foster have been appointed on the part of the Council under C. J. R. No. 1.

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. More,

A recess of half an hour was declared in order to give committee on C. J. R. No. 1 time to report.

At the expiration of said time, House again called to order.

Mr. Moore, of the Joint Select committee under C. J. R. No. 1, made the following report:

MR. SPEAKER—

Your committee appointed to act in conjunction with a committee on the part of the Council, to wait upon the Governor and inform him that the Legislative Assembly was duly organized and ready to receive any communication he might see proper to make, beg leave to report that they have performed the duty assigned them. His Excellency informed your committee that he would be ready to deliver a message at two o'clock this afternoon.

Your committee recommend that the President and members of the Council be invited within the hall of the House for the purpose of receiving the Governor's message at the time mentioned.

R. S. MORE,
Chairman.

On motion of Mr. Bigelow,

Report was adopted.

On motion of Mr. Judson,

The House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Thursday, October 5, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll, the following members answered to their names:

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Judson, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

On motion of Mr. Cock,

The Clerk reported to the Council that the House was ready to receive the Council in joint convention.

Whereupon the Council appeared in the Hall of the House of Representatives and the joint convention was called to order by the President of the Council.

On motion of Mr. Smith of Thurston,

A committee of five, consisting of two from the Council and three from the House of Representatives, was appointed to wait upon the Governor and inform him that the two Houses are in joint convention prepared to hear his message.

The President appointed Messrs. Smith and Calhoun on the part of the Council, and Messrs. Winans, Brazee and More of the House of Representatives.

The Governor returning with said committee then delivered the following message:

[For message see appendix.]

The business for which the joint convention was called together being finished, the President announced that the joint convention was dissolved. Thereupon the Council retired.

On motion of Mr. Cock,

Fifteen hundred copies of the Governor's message were ordered printed for distribution.

The Speaker announced the following changes in the standing committees of the House:

RULES AND ORDERS.

Strike out the name of Brazee and insert Sinclair.

WAYS, MEANS AND CLAIMS.

Strike out Sinclair and insert that of Brazee.

ENGROSSED BILLS.

Strike out the name of Brewer and insert that of Sinclair.

INDIAN AFFAIRS.

Strike out name of Brazee and insert Winans.

ROADS AND HIGHWAYS.

Add the name of Campbell.

Mr. Judson, of Pierce and Mason, introduced

H. R. No. 1—Relative to report of Territorial officers.

Resolution read first time.

On motion of Mr. Cock,

The Speaker appointed the following special committee on appropriations: Messrs. Cock, Sinclair, Judson, Brewer and Gosnell.

On motion of Mr. Bigelow,

House adjourned until to-morrow morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, October 6, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Cline, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday read.

On motion of Mr. Winans,

The clerk was instructed to insert 1500 instead of 1000 copies of the Governor's message, as ordered.

As amended the journal was approved.

Mr. McConaha, from the committee on Rules and Orders, submitted the following report:

MR. SPEAKER—

The committee on Rules and Orders to whom was referred the temporary rules and orders, have had the same under consideration, and would recommend their permanent adoption by this House.

Your committee would also recommend that 40 copies of the same be printed.

G. N. McCONAHA,
Chairman.

Report read, and

On motion of Mr. Bigelow,

The figures "40" were ordered struck out and 100 inserted.

On motion of Mr. Brazee,

The report was adopted as amended.

H. R. 1—Requiring Territorial officers to report on or before October 12.

Resolution read second time.

On motion of Mr. More,

Rules were suspended, resolution was read a third time and passed.

Mr. Noyes gave notice that on to-morrow, or some future day, he would introduce a bill for the relief of Kitsap county.

Mr. Noyes, of Kitsap, introduced

H. R. No. 2—Requiring all matter introduced in the House printed, unless otherwise ordered.

Resolution read first time.

On motion of Mr. Brazee,

The rules were suspended and the resolution was read second time.

On motion of Mr. Judson,

Referred to committee on Rules and Orders.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
October 6, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives of the passage of

C. J. R. No. 3—Relative to the condition of the insane asylum and Territorial penitentiary.

ELWOOD EVANS,
Chief Clerk.

C. J. R. No. 3—Relative to the condition of the Territorial insane asylum and Territorial penitentiary.

Resolved by the Council, the House concurring, That there be appointed a joint committee, consisting of two members of the Council and three from the House, whose duty it shall be to visit the insane asylum at Steilacoom, make a thorough examination of the condition and management of the same, and report the result of their labors as soon as practicable.

Resolved further, That said committee be further instructed to examine the condition of the building used as a Territorial penitentiary and the management of the prisoners confined therein.

Resolution read first time.

On motion of Mr. Brazee,

Rules were suspended and the resolution read a second time.

On motion of Mr. Brazee,

The rules were further suspended and the resolution was read third time.

The question being "Shall the resolution pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Maxwell, Maxon, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—26.

Those voting in the negative were

Messrs. Lloyd and More—2.

Absent—Messrs. Ashpaugh and Lasater.

Resolution adopted.

Mr. Bigelow, of Thurston, introduced

H. J. R. No. 3—Relative to collection of Territorial revenue.

Resolution read first time.

On motion of Mr. More,

Amended, with consent of Mr. Bigelow, by referring said resolution to committee on Ways and Means instead of Judiciary.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
October 6, 1871.

I am instructed by the Council to inform the House of the appointment of Messrs. Huntington and McReavy on the part of the Council, to serve as a committee under C. J. R. No. 3.

ELWOOD EVANS,
Chief Clerk.

Mr. Judson gave notice that on to-morrow, or on some early day, he would introduce a bill for the relief of Philip James.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
October 6, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of the passage of

C. J. R. No. 2—As to the adoption of joint rules and orders,

And request the concurrence of the House of Representatives therein.

And that Messrs. Huntington and McReavy have been appointed on the part of the Council under C. J. R. No. 3.

ELWOOD EVANS,
Chief Clerk.

The Speaker then announced the following committee on the part of the House under C. J. R. No. 3: Messrs. Lloyd, Brazee and Coupe.

Mr. Maxwell, of Clarke, introduced

H. B. No. 1—An act regulating suits in certain foreign judgments.

Bill read first time.

Mr. Winans, of Stevens, introduced

H. B. No. 2—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue, approved Jan. 31, 1867.

Bill read first time.

The clerk proceeded to notify Council of the appointment of committee under C. J. R. No. 3.

Mr. Bigelow moved that the House adjourn till Monday morning at 10 o'clock.

Mr. Judson moved to amend by adjourning till Wednesday morning at 10 o'clock.

Amendment adopted.

On the original motion the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Cock, Coupe, Cline, Gray, Gosnell,

Hovey, Hinkly, Judson, Lloyd, Maxon, More, McConaha, Ping, Scott, Sinclair and Whetstone—18.

Those voting in the negative were

Messrs. Abbott, Bigelow, Brewer, Campbell, Finkbonner, Kerns, Maxwell, Noyes, Winans and Mr. Speaker—10.

Majority of the House having voted in favor of the motion, the House adjourned till Wednesday, Oct. 11.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, October 11, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Cline, Gray, Hovey, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, Moore, McConaha, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Coupe, Finkbonner, Gosnell, Lasater and Noyes.

Prayer by the Chaplain.

Journal of Friday, October 6, read and approved.

Mr. Bigelow in the chair.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 3—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases."

Bill read first time.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 4—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases."

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 5—An act to authorize E. S. Fowler and others to construct a wharf at Port Townsend, W. T.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 6—An act to prevent the building of fish traps in fresh water streams or creeks in Washington Territory.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 7—An act to repeal an act entitled an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 8—An act relative to the sale of spirituous, malt or fermented liquors or wines.

H. B. No. 1.—An act regulating suits in certain foreign judgments.

Bill read second time.

On motion of Mr. Brazee,

Referred to committee on Judiciary.

H. B. No. 2—An act providing for the assessing and collecting of Territorial and county revenue.

Bill read a second time.

On motion of Mr. Winans,

The bill was referred to the committee on Counties.

H. J. R. No. 3—Relative to examination of the Territorial treasurer and auditors reports by joint committee on Ways, Means and Claims.

Resolution read second time.

On motion of Mr. Van Bokkelen,

Referred to committee on Ways and Means.

On motion of Mr. Van Bokkelen,

The House then proceeded to consider the Governor's message.

All of that portion of the message relating to finances, was Referred to committee on Ways and Means.

All relating to insane asylum and penitentiary was Referred to committee on Territorial Library.

That portion relating to emigration was Referred to committee on Counties.

All with reference to special terms of U. S. district courts was Referred to Committee on Judiciary.

All referring to manufactures, light houses and railroads, was Referred to committee on Commerce.

On motion of Mr. Van Bokkelen,

The clerk was ordered to procure 1000 copies of Territorial Librarian's, Auditor's and Treasurer's reports, printed.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 9—An act authorizing James Keymes and others to construct a wharf at Port Townsend, W. T.

Bill read first time.

Mr. Abbott, of Clarke, introduced

H. B. No. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff."

Bill read first time.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 11—An act providing for the relief of Dr. Philip James.

Bill read first time.

Mr. Maxon, of Clarke, introduced

H. B. No. 12—An act to divide the Territory into judicial districts.

Bill read first time.

Mr. Maxon, of Clarke, introduced

H. B. No. 13—An act to sub-divide the judicial districts of Washington Territory, and provide places for holding courts therein.

Bill read first time.

Mr. Maxon gave notice that at some early day he would introduce a bill prescribing the time for holding courts in the Territory.

On motion of Mr. Van Bokkelen,

The clerk was instructed to report forthwith to the public printers, all special orders.

Mr. Speaker in the chair.

Mr. Bigelow, of Thurston, introduced

H. B. No. 14—An act to enfranchise women.

Bill read first time.

On motion of Mr. Brazee,

Made the special order for Saturday, October 14.

Mr. McConaha gave notice that on to-morrow or some future day he would introduce a bill to amend an act entitled "an act to regulate the practice in civil actions."

On motion of Mr. Winans,

The suggestions in the Governor's message regarding education was

Referred to committee on Education.

Mr. Lloyd, from committee appointed on the part of the House to visit the asylum and penitentiary, asked for further time to report.

Mr. Bigelow moved that the House hold but one session each day.

Motion lost.

On motion of Mr. Abbott,

The Sergeant-at-arms was instructed to procure the remainder of the Governor's message.

Mr. More moved that House adjourn till two o'clock.

Mr. Brazee moved that when we do adjourn, we adjourn until 10 o'clock A. M., each day, unless otherwise ordered by the House.

Motion carried.

The Speaker announced the reports of the Territorial Auditor and Treasurer lying upon his table.

On motion of Mr. More,

One thousand copies of each was ordered.

On motion of Mr. Winans,

A recess was declared until two o'clock P. M.

* * *

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, October 11, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

On calling the roll, the following members answered to their names:

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Cline, Gray, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Coupe, Gosnell, Hovey and Winans.

C. J. R. No. 2—As to adoption of joint rules and orders.

Resolution read first time.

On motion of Mr. Campbell,

The rules were suspended and the resolution was read second time.

On motion of Mr. Brazee,

The rules were further suspended and the resolution read third time and passed.

The joint committee on Joint Rules and Orders, have instructed me to report the following joint rules and orders for the government of the Assembly at its present session:

1. In every case of an amendment of a bill agreed to in one house and dissented to in the other, if either house shall request a conference and appoint a committee to confer, such committee shall, at a convenient hour to be agreed upon by their chairman, meet and state to each other, verbally or in writing, as either shall choose, the reasons of their respective houses for and against the amendment, and confer freely thereon.

2. When a message shall be sent from the Council to the House of Representatives, it shall be announced at the door of the House by the doorkeeper, and shall be respectfully communicated to the chair by the person by whom it may be sent.

3. The same ceremony shall be observed when a message shall be sent from the House of Representatives to the Council.

4. All bills introduced into either House shall forthwith be reported to the other by their title.

5. When bills are on their passage between the two Houses, they shall be on paper, and under the signature of the clerk of each House respectively.

6. Neither House shall take any action upon a bill while the same is in possession of the other House.

7. Every bill or joint resolution, after being enrolled, shall be examined by a joint committee on enrolled bills, consisting of at least two members from each House, who shall compare the same with the engrossed bills, and correct any errors they may discover so as to make it agree therewith, and make their report forthwith to their respective Houses.

8. Every bill or joint resolution reported to have been duly enrolled shall first be signed by the Speaker of the House of Representatives, (who shall send the same to the Council) then by the President of the Council.

9. When a bill or resolution which shall have passed in one House shall be rejected in the other, notice thereof shall be given to the House in which the same shall have passed.

10. When a bill or resolution which has been passed in one House shall be rejected in the other, it shall not be brought in during the same session without a notice of five days.

11. Each House shall transmit to the other, with the bill or resolution, all papers on which such bills or resolutions shall be founded.

12. After each house shall have adhered to their disagreement, a bill or resolution shall be lost.

13. The President of the Council and the Speaker of the House shall cause the chief clerk of each House to number the bills originating in their respective Houses.

14. The printing committees of the two Houses shall compose a joint committee.

GEO. N. McCONAHA,
Chairman.

On motion of Mr. Bigelow,

House adjourned until to-morrow morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATVIES,
Thursday, October 12, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, Moore, Mc-

Conaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Journal of Wednesday read and approved.

Prayer by the Chaplain.

H. B. No. 3—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases,"

No objections being made, the bill was read second time by title, and

On motion of Mr. Bigelow,

Referred to committee on Judiciary.

H. B. No. 4—An act prescribing the penalty for the discharge of ballast into the navigable waters of this Territory.

No objections being made, bill read second time by title, and

On motion of Mr. Bigelow,

Referred to committee on Judiciary.

H. B. No. 5—An act to authorize E. S. Fowler and others to construct a wharf at Port Townsend, W. T.

No objections being made, read second time now, by title, and

On motion of Mr. Bigelow,

Was referred to committee on Judiciary.

H. B. No. 6—An act to prevent the building of fish traps in fresh water streams or creeks in Washington Territory.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Cock,

Referred to Committee on Corporations.

H. B. No. 7—An act to repeal an act entitled an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto.

No objections being made, the bill was read second time by title.

On motion of Mr. Cock,

Referred to Committee on Commerce.

H. B. No. 8—An act relative to the sale of spirituous, malt or fermented liquors or wines.

No objections being made, bill was read second time now by title.

On motion of Mr. Cock,

Referred to committee on Education.

H. B. No. 9—An act authorizing James Keymes and others to construct a wharf at Port Townsend, W. T.

No objection being made, the bill was read second time by title.

On motion of Mr. Brazee,

Referred to committee on Corporations.

H. B. No. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff."

No objection being made, bill read second time, by title.

On motion of Mr. Brazee,

Referred to committee on Judiciary.

H. B. No. 11—An act providing for the relief of Dr. Philip James.

No objection being made, bill read a second time, by title.

On motion of Mr. Winans,

Referred to committee on Ways and Means.

H. B. No. 12—An act to divide the Territory into judicial districts.

No objections being made, bill read a second time by title.

On motion of Mr. Judson,

Referred to delegation from Pierce, Yakima and Pacific counties.

On motion of Mr. Winans,

The petition and remonstrance of the citizens of Steilacoom was referred to delegation from Pierce county.

Mr. Winans, of Stevens, introduced

H. J. R. No. 1—To adjourn House *sine die* October 31, 1871.

Resolution read first time.

Mr. Noyes, of Kitsap, introduced

H. B. No. 15—An act entitled an act to repeal an act entitled "an act to regulate the measurement of lumber in the log and fixing compensation therefor."

Bill read first time.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 16—An act fixing compensation of prosecuting attorneys.

Bill read first time.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 17—An act to amend an act entitled "an act to establish the amount and provide for the payment of costs in certain cases."

Bill read first time.

Mr. Maxon, of Clarke, introduced

H. B. No. 18—An act for the protection of clerks of the district courts.

Bill read first time.

Mr. Maxon, of Clarke, introduced

H. B. No. 19—An act to regulate the times of holding the supreme and several district courts of Washington Territory.

Bill read first time.

On motion of Mr. Kerns,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,

Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, October 13, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kearns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Mr. Ashpaugh.

Journal of Thursday read and approved.

Prayer by the Chaplain.

Mr. Lasater, member from Walla-walla, appeared and the oath was administered by the Speaker.

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 1.—An act regulating suits in certain foreign judgments.

H. B. No. 4—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases."

H. B. No. 3—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases."

H. B. No. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed January 19th, 1863.

H. R. No. 2—Requiring all matter introduced in the House printed, unless otherwise ordered.

Have had the same under consideration and beg leave to re-

port them back to the House without amendment and recommend their passage.

G. N. McCONAHA,
Chairman.

H. B. 15—An act to regulate the measurement of lumber in the log.

Bill read second time.

On motion of Mr. Coupe,

The bill was referred to the committee on Commerce.

H. B. 16—An act fixing the compensation of prosecuting attorneys.

Bill read second time.

Referred to committee on Judiciary.

H. B. 17—An act to provide for the payment of costs in certain cases.

Bill read second time.

On motion of Mr. Judson,

Referred to Committee on Judiciary.

H. B. 18—An act to provide for the protection of clerks of the district courts.

Bill read second time.

On motion of Mr. McConaha,

Referred to committee on Judiciary.

H. B. No. 19—An act to regulate the times of holding the supreme court and the several district courts of Washington Territory.

Bill read second time.

On motion of Mr. Lasater,

Referred to committee on Judiciary.

On motion of Mr. Lasater,

The vote on H. B. No. 19 was reconsidered.

On motion of Mr. Bigelow,

Laid upon table.

H. B. No. 1—An act regulating suits in certain foreign judgments.

No objections being made, bill read third time by title.

On motion of Mr. Bigelow,

Bill recommitted to committee on Judiciary.

H. B. 3—An act in relation to crimes and punishments and proceedings in criminal cases.

Bill read third time.

On motion of Mr. Cock,

Referred again to Judiciary committee.

H. B. 4—An act entitled an act relating to crimes and punishments and proceedings in criminal cases.

Bill read third time.

On motion of Mr. Noyes,

The bill was amended by striking out the word "twenty" and inserting "fifteen" instead.

The question being "Shall the bill as amended pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Maxwell, Maxon, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—28.

Absent—Messrs. Ashpaugh and Finkbonner.

Bill passed and title agreed to.

H. B. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed Jan. 19, 1863.

Bill read third time.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
October 13, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following bills:

C. B. No. 1—An act defining the rights of husband and wife.

C. B. No. 2—An act providing for the appointment of a resident physician for the insane asylum and prescribing his duties.

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. Bigelow,

H. B. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed January 19, 1863, was amended by striking out the word "their" and inserting the word "his" in fourth line.

The question being "Shall the bill now pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—27.

Those voting in the negative were

Mr. Maxon.

Absent—Messrs. Ashpaugh and Finkbonner.

Bill passed and title agreed to.

H. R. 2—Relative to printing all matter introduced into the House.

Resolution read third time.

The question being "Shall the resolution pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock,

Campbell, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair Winans, Whetstone and Mr. Speaker—28.

Negative—None.

Absent—Messrs. Ashpaugh and Finkbonner.

Resolution adopted.

H. J. R. No. 1—As to adjournment *sine die* on Oct. 31, 1871.

Resolution read first time.

Mr. Kerns moved that the resolution be indefinitely postponed.

On this motion the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Barstow, Brewer, Cock, Campbell, Coupe, Cline, Hovey, Hinckley, Judson, Kerns, Lasater, Lloyd, Maxon, Moore, McConaha. Noyes, Ping, Scott, Whetstone and Mr. Speaker—20.

Those voting in the negative were

Messrs. Abbott, Brazee, Bigelow, Gray, Gosnell, Maxwell, Sinclair and Winans—8.

Absent—Messrs. Ashpaugh and Finkbonner.

Motion carried.

Mr. McConaha, of King, introduced

H. B. No. 20—Substitute for C. B. No, 9, an act to amend an act entitled "an act to regulate the practice and proceedings in civil actions."

Bill read first time.

On motion of Mr. Cock,

The vote by which H. B. No. 4 was passed was reconsidered.

On motion of Mr. More,

H. B. No. 4 was again referred to committee on Judiciary.

Mr. Judson, of Pierce and Mason, introduced

H. B. 21—An act in relation to Territorial convicts.

Bill read first time.

Mr. Maxwell, of Clarke, introduced

H. B. No. 22—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed January 19, 1863.

Bill read first time.

Mr. Noyes, of Kitsap, introduced

H. B. No. 23—An act for the relief of Kitsap county.

Bill read first time.

On motion of Mr. More,

House adjourned until 10 A. M. to-morrow.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, October 14, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Cline, Coupe, Gosnell, Gray, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh and Finkbonner.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

H. B. No. 2—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue, approved Jan. 31, 1867,

Return the same to the House without acting upon it and recommend that it be referred to the committee on Education.

H. D. COCK,
Chairman.

Mr. Judson, from the delegation of Yakima, Pierce and Pacific counties, made the following report:

MR. SPEAKER—

The delegation to whom was referred

H. B. No. 12—An act to divide the Territory into judicial districts,

Report the same back and recommend the following amendments:

Strike out all after the words "the counties of," section one, line three, and insert "Walla Walla, Stevens and Yakima."

Strike out all after the words "the counties of," in section two, line one, and insert "Thurston, Mason, Chehalis, Lewis, Pacific, Cowlitz, Wahkiakum, Clarke, Skamania and Klikitat."

Strike out all after the words "the counties of," section three, line one, and insert "Whatcom, Island, Snohomish, King, Kitsap, Pierce, Jefferson and Clalm."

Your committee respectfully recommend the adoption of said amendments.

STEPHEN JUDSON,
Chairman.

Mr. Judson of the delegation from Yakima, Pierce and Pacific counties, made the following report:

MR. SPEAKER—

The delegation to whom was referred

H. B. No. 13—An act to sub-divide the judicial districts of the Territory of Washington and prescribe the place for holding court therein,

Have had the same under consideration, and have instructed me to report the same back to the Council and recommend that it be amended as follows:

Strike out all after the words "as follows," section one, line three, and insert the "the county of Walla Walla shall be the first sub-district, and Walla Walla city the place for holding courts therein."

Strike out all after the first word "the," of section two, line one, and insert "county of Stevens shall be the second sub-district and Fort Colville the place for holding court therein."

Strike out all after the first word "the," section three and line one, and insert "county of Yakima shall be the third sub-district and Yakima city the place for holding court therein."

Strike out all after the word "the," section six and line one, and insert "counties of Thurston, Lewis, Chehalis and Mason shall be the third-sub-district, and the city of Olympia the place for holding courts therein."

Strike out all after the words "to wit," section seven, line one, and insert "the counties of Whatcom, Island, Jefferson and Clalm, shall be the first sub-district and Port Townsend the place for holding courts therein. The counties of King, Kitsap, and Snohomish shall be the second sub-district, and the city of Seattle the place for holding courts therein. The county of Pierce shall be the third sub-district and the city of Steilacoom the place for holding courts therein."

STEPHEN JUDSON,
Chairman.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
October 14, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following

C. B. No. 3—An act in relation to descent and distribution of real and personal estate.

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. Lasater,

H. B. No. 21—An act in relation to Territorial convicts, was read second time by title.

On motion of Mr. Cock,

Referred to committee on Ways and Means.

On motion of Mr. Cock,

Report of committee on H. B. No. 2 was adopted, and bill referred accordingly.

Report of delegation from Pierce, Yakima and Pacific upon H. B. No. 12, was read.

On motion of Mr. Bigelow,

Bill and report were ordered laid on the table.

H. B. No. 13—An act to sub-divide the judicial districts of the Territory of Washington and providing places for holding courts therein,

Was read and report of the committee also.

Mr. McConaha moved that the report be adopted.

Amendment by Lasater that bill and report lie on table.

Amendment adopted.

H. B. No. 14—An act to enfranchise women.

No objections being made, bill was read second time now by title.

On motion of Mr. Bigelow,

Laid upon table.

On motion of Mr. Brazee,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, October 16, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Journal of yesterday read and approved.

Prayer by the Chaplain.

On motion of Mr. Lasater,

The clerk was ordered, in the messages from the Council, wherever the name of Elwood Evans appears as secretary, to strike out the word "secretary" and insert "chief clerk."

Mr. Hovey, chairman of the committee on Commerce, made the following report:

MR. SPEAKER—

The committee on Commerce, to whom was referred

H. B. No. 7—An act to repeal an act entitled an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto,

Have had the same under consideration, and report it back without amendment and recommend its passage.

S. W. HOVEY,
Chairman.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 24—An act to fix the time and place of holding the supreme and several district courts of Washington Territory.

Bill read first time.

Mr. Campbell, of Thurston and Chehalis, introduced

H. B. No. 25—An act relating to district, county and precinct officers.

Bill read first time.

Mr. Abbott, of Clarke, introduced

H. B. No. 26—An act entitled an act to prevent certain animals running at large in certain counties.

Bill read first time.

Mr. Cline, of Clalm, introduced

H. B. No. 27—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1867.

Bill read first time.

Mr. Kerns, of Walla Walla, introduced

H. B. No. 28—An act to amend an act entitled "an act regulating suits for divorce and alimony," passed Jan. 19, 1863.

Bill read first time.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 29—An act for the relief of J. M. Vansyckle.

Bill read first time.

H. B. No. 20—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions."

No objection being made, bill read a second time now, by title.

On motion of Mr. Bigelow,

Referred to a committee composed of the attorneys in the House as follows: Messrs. Lasater and McConaha.

H. B. No. 22—An act to regulate interest on money and to prevent usury.

On motion of Mr. Brazee,

Referred to committee on Education.

H. B. No. 23—An act for the relief of Kitsap county.

On motion of Mr. Winans,

Referred to committee on Ways and Means.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
October 16, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 4—An act to amend an act entitled "an act to regulate marriage."

ELWOOD EVANS,
Chief Clerk.

Report of committee on

H. B. No. 12—An act to divide the Territory into judicial districts.

On motion of Mr. Lasater,

Report of committee was adopted.

On motion of Mr. Judson,

Now was assigned as the time for third reading of the bill. bill.

Bill read third time.

The question being "Shall the bill as amended pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Cline, Cock, Campbell, Coupe, Hovey, Judson, Kerns, Lloyd, Maxwell, Moore, McConaha, Noyes, Sinclair—15.

Those voting in the negative were

Messrs. Abbott, Brewer, Finkbonner Gray, Hinkley, Lasater, Maxon, Ping, Scott, Winans, Whetstone and Mr. Speaker—13.

Absent—Messrs. Ashpaugh and Gosnell.

Bill passed and title agreed to.

Report of the committee on

H. B. No. 13—An act to sub-divide the judicial districts of Washington Territory, and provide places for holding courts therein.

On motion of Mr. Winans,

The report of the committee was adopted.

On motion of Mr. Bigelow,

Now assigned as time for third reading.

Bill read third time.

The question being "Shall the bill now pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—25.

Those voting in the negative were

Messrs. Cline, Maxwell, Maxon—3.

Absent—Messrs. Ashpaugh and Gosnell.

So the bill passed and the title agreed to.

Mr. Finkbonner presented a petition signed by Orrin Kinkade and 150 others, residents of Whatcom county, praying that some action be taken by this House to remove the jam on Skagit river.

On motion of Mr. Brazee,

Referred to committee on Appropriations.

H. M. No. 1—Relative to the free navigation and improvement of Skagit river in Washington Territory.

Memorial read first time.

No objections being made, memorial read second time now, by title, and

On motion of Mr. Judson,

The rules were suspended, memorial read a third time and passed.

Mr. Winans presented a petition signed by H. S. Burlingame and 96 other citizens of Stevens county, praying for a division of said county and organization of another.

On motion of Mr. Brazee,

Referred to committee on Counties.

Petitions were presented, numerously signed by residents of various counties in the Territory, praying that a bill be passed by this body, providing that liquor sellers be made liable for damage incurred in consequence thereof.

Mr. Judson moved that the petition be referred to Judiciary committee.

Motion lost.

On motion of Mr. Bigelow,

Referred to committee on Education.

The account of Hill Harmon with the Territory was read and ordered printed.

TERRITORY OF WASHINGTON,

To Hill Harmon, Dr.

1871.

For transportation of Insane from Monticello to Steilacoom:

Aug. 22.	To paid H. D. Montgomery, voucher No. 3	$ 52 20
"	To paid Robert Thompson, voucher No. 3	52 20
"	To paid H. R. Hatch, voucher No. 3	52 20
"	To paid Philip Stevens, voucher No. 3	52 20
"	To paid Lewis Minor, voucher No. 3	46 60
"	To paid Joseph Guthrie, voucher No. 3	52 20
"	To paid J. P. Jameson, voucher No. 3	15 50
"	To paid W. P. Light, voucher No. 3	15 50
"	To paid Isaac Carson, voucher No. 3	15 50
"	To paid C. W. Boeschen, voucher No. 3	20 00
"	To paid A. J. Babcock, voucher No. 3	15 50
"	To paid H. D. McGowan, voucher No. 3	14 00
"	To paid for hay, oats and board on road from Steilacoom to Monticello and back, voucher No. 3	146 50
"	To paid Robert Hauhn, whitewashing and painting, voucher No. 2	145 00

Aug. 22.	To paid Henry Hateman, carpenter work, voucher No. 2	$ 114 00
"	To paid H. Bush, whitewashing and painting, voucher No. 2	220 00
"	To paid August Bronze, carpenter work, voucher No. 2	114 00
"	To paid Samuel Willoughby, carpenter work, voucher No. 2	181 00
"	To paid John Boyle, carpenter work, voucher No. 2	226 60
"	To paid H. D. Montgomery, hauling, voucher No. 2	95 00
		$1095 60

WATER WORKS.

June 3.	To paid Donerbery & Barrett, iron pipe and ram, voucher, No. 1	$ 250 50
"	To paid Donerbery & Barrett, freight on same, voucher No. 1	12 50
June 28.	To paid labor for digging ditch, voucher No 1	36 00
Aug. 25.	To paid Hiel Barnes, putting down pipe and ram, voucher No. 1	264 00
"	To paid Howe & Hale for wooden pipe, voucher No. 1	83 30
"	To paid freight on same, voucher No. 1	4 00
		650 30

MATERIAL FOR BUILDING.

Aug. 25.	To paid E. Milwain, hasps and staples, voucher No. 1	15 00
"	To paid Corbett & Failey, for locks and door fastenings, voucher No. 1	30 00
"	To paid Philip Keach for lime, voucher No. 1	60 00

Sept. 6.	To paid Geo. Sealry, labor, voucher No. 1	$176 00
"	To paid Wilderbond, carpenter, voucher No. 1	115 00
"	To paid John Peterson, carpenter, voucher No. 1	146 00
"	To paid H. R. Hatch, labor, voucher No. 1	256 00
"	To paid John Crayton, labor, voucher No. 1	20 00
"	To paid John Shaffer, brick tender, voucher No. 1	16 00
"	To paid Amon Gusha, labor, voucher No. 1	36 00
Aug. 10.	To paid J. B. Leach for lumber, voucher No. 4	114 00
"	To paid P. P. & Light for material furnished, voucher No. 4	300 00
Aug. 10.	To paid John Latham, glass, paint and oil, voucher No. 4	38 49
"	To paid Miller & Glendening, material, voucher No. 4	119 75
"	To paid for brick, voucher No. 4	17 00
"	To paid steamer North Pacific, freight on lumber, voucher No. 4	21 35
"	To paid T. D. Thair, material furnished, voucher No. 4	9 00
"	To paid Rinquest & Co., blacksmithing, voucher No. 4	63 52
"	To paid L. Hirsh, lumber, nails, &c., voucher No. 4	139 71
"	To paid Sam. Williams, material, voucher No. 4	64 47
Total		$4053 29
Oct. 4.	To paid Henry Ditman, carpenter, voucher No. 5	114 00
"	To paid S. B. Abbott, voucher No. 5	
"	To paid Joseph Sedgmore, voucher No. 5	
"	To paid Samuel Balch, voucher No. 5	

October 4.	To paid J. N. Baker, voucher No. 5.....	268 00
"	To paid Sam. Williams, hardware.....	9 00
		$4444 29

The bill for iron grating has not yet been rendered.

I certify that the above amount of $4444 29 has been paid for the articles above mentioned, and that vouchers therefor are in my possession.

HILL HARMON,

IN ACCOUNT WITH JOHN L. CLARK, DR.

July 20. To 1 set of range castings for Insane Asylnm.....$150 00 gold coin.
166 60 currency.

Received payment,

JOHN L. CLARK.

The above bill of $166 60 was paid after making out the former account, and is not included in the $4444 29.

HILL HARMON.

On motion of Mr. Cock,

Five days leave of absence was granted to Mr. Gosnell, he having been called home on urgent business.

On motion of Mr. McConaha,

House adjourned until to-morrow morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, October 17, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh and Gosnell.

Prayer by the Chaplain.

Journal of Wednesday read and approved.

SECOND READING OF BILLS.

H. B. No. 24—An act to fix the time and place of holding the supreme and several district courts of Washington Territory.

On motion of Mr. Lasater,

Bill read second time.

On motion of Mr. Judson,

Referred to Committee on Judiciary.

H. B. No. 25—An act relating to district, county and precinct officers.

No objection being made, the bill was read second time by title.

On motion of Mr. Lasater,

Referred to committee on Elections.

H. B. No. 26—An act entitled an act to prevent certain animals running at large in certain counties.

Mr. Bigelow moved to refer the bill to the committee on Judiciary.

Mr. Kerns moved to amend by referring to committee on Agriculture.

Motion to amend carried, and the bill was referred to the committee on Agriculture.

H. B. No. 27—An act to amend an act entitled "an act to

prevent hogs trespassing in certain counties," approved December 2, 1867.

No objections being made, bill read second time by title, and

On motion of Mr. Lasater,

The bill was referred to delegation from Clalm county.

H. B. No. 28—An act to amend an act entitled "an act regulating suits for divorce and alimony," passed Jan. 19, 1863.

No objections being made, read second time now, by title, and

On motion of Mr. Bigelow,

Referred to committee on Judiciary.

H. B. No. 29—An act for the relief of J. M. Vansyckle.

Bill read second time.

Mr. Brazee moved to refer the bill the committee on Appropriations.

Mr. Noyes moved to amend by referring the bill to the committee on Ways and Means.

Motion as amended carried.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
October 17, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 5—An act to extend and define the corporate limits of the city of Walla Walla.

Also of the passage of

H. B. No. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed January 19th, 1863.

ELWOOD EVANS,
Chief Clerk.

The Speaker announced the report of the Territorial treasurer upon the table.

On motion of Mr. Kerns,

Referred to committee on Ways and Means.

H. B. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed January 19, 1863, having passed the Council,

On motion of Mr. Noyes,

The bill was referred to the committee on Enrolled Bills.

H. B. No. 7—An act to repeal an act entitled an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto,

On motion of Mr. Maxon.

Bill read a third time.

On motion of Mr. Lasater,

The bill was laid upon the table.

Mr. Winans, of Stevens, presented a petition signed by R. S. Wells, John Mitchell and 220 others, of Walla-walla, praying for a Territorial road from Walla-walla to Palouse city at the forks of Palouse river, thence to Fort Colville.

Petition read, and

On motion of Mr. Winans,

Referred to committee on Roads and Highways, with instructions to report a bill.

Mr. Winans, of Stevens, presented a remonstrance from citizens of Stevens county, signed by W. V. Brown and 52 others, remonstrating against a division of that county and the organization of a new county.

Petition read, and

On motion of Mr. Winans,

Referred to Committee on Counties.

On motion of Mr. Coupe,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, October 18, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll, the following members answered to their names:

Messrs. Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Gray, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Cock, Finkbinner, and Gosnell.

Journal of yesterday read and approved.

Prayer by the Chaplain.

REPORTS OF STANDING COMMITTEES.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. B. No. 22—An act to regulate interest on money and to prevent usury,

Have had the same under consideration, and have instructed me to report the same back to the Council and recommend that it be amended as follows:

Insert in section six, line two, after the word effect, "nor shall

it effect the rate of interest on judgments to be rendered on such contracts."

Respectfully submitted,

D. R. BIGELOW,

Chairman.

PROPOSITIONS AND MOTIONS.

Mr. Bigelow, of Thurston, introduced

H. J. R. No. 2—Inviting Miss Susan B. Anthony to address the Legislative Assembly on female suffrage.

Resolution read first time.

On motion of Mr. Noyes,

The rules were suspended and the resolution was read second time.

Mr. Winans, of Stevens, offered an amendment to the effect that H. B. No. 14 be made a special order for two P. M. on Thursday, and that Miss Susan B. Anthony be invited to address the House on the merits of the bill.

Mr. Lasater offered an amendment to the amendment that W. K. Bull be also invited to address the House.

Amendment to the amendment lost.

The question being on the adoption of the amendment, the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Brewer, Campbell, Gray, Lasater, Lloyd, Maxon, Sinclair, Winans, Whetstone and Mr. Speaker—13.

Those voting in the negative were

Messrs. Bigelow, Coupe, Cline, Hovey, Hinkley, Judson, Kerns, Maxwell, More, McConaha, Noyes, Ping, Scott—13.

Absent—Messrs. Ashpaugh Cock, Finkbonner and Gosnell.

Amendment lost.

On motion of Mr. Bigelow,

H. J. R. No. 2 was amended by inserting subject of female suffrage.

Mr. Coupe moved that the rules be suspended and

H. J. R. No. 2—Inviting Miss Susan B. Anthony to address the Legislative Assembly on female suffrage, be read third time now.

On this motion the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Coupe, Cline, Gray, Hovey, Hinkley, Kerns, Maxwell, Maxon, McConaha, Noyes, Sinclair Winans, and Mr. Speaker—18.

Those voting in the negative were

Messrs. Campbell, Judson, Lasater, Lloyd, More, Ping, Scott, Whetstone—8.

Absent—Messrs. Ashpaugh, Cock, Finkbonner and Gosnell.

So the motion was carried.

The question recurring on the original motion as amended.

On this question the ayes and noes were demanded, with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Bigelow, Barstow, Brewer, Coupe, Cline, Gray, Hovey, Hinckley, Kerns, Lasater, Maxwell, Maxon, McConaha. Noyes, Sinclair, Winans and Mr. Speaker—19.

Those voting in the negative were—

Messrs. Campbell, Judson, Lloyd, Moore, Ping, Scott, Whetstone—7.

Absent—Messrs. Ashpaugh, Cock, Finkbonner and Gosnell.

On motion of Mr. Bigelow,

The clerk was instructed to report forthwith to the Council such action by the House.

On motion of Mr. Judson,

Reporters of the press were invited within the bar of the House.

On motion of Mr. Lasater,

Mr. Judson was granted leave of absence until Monday next.

H. B. No. 22—An act to amend an act entitled "an act to

create and regulate the office of sheriff," passed January 19, 1863.

On motion of Mr. Winans,

Now assigned as time for third reading.

Bill read third time.

On motion of Mr. McConaha,

The report of the committee was adopted.

On the final passage of the bill the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Gray, Hovey, Hinckley, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—25.

Absent—Messrs. Ashpaugh, Finkbonner and Gosnell.

So the bill passed and the title agreed to.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff."

WM. P. WINANS,
Chairman.

The Speaker gave notice that he was about to sign the following:

H. B. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed Jan. 19, 1863.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
October 18, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 6—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways.

Also the passage in the House of Representatives of the following:

C. B. No. 5—An act to extend and define the corporate limits of the city of Walla Walla.

H. J. R. No. 2—Inviting Miss Susan B. Anthony to address the Legislative Assembly.

C. J. R. No. 4—Inviting Mr. Bull to reply to Miss Susan B. Anthony.

ELWOOD EVANS,
Chief Clerk.

C. J. R. No. 4—Inviting Mr. Bull to reply to Miss Susan B. Anthony.

On motion of Mr. Lasater,

The rules were suspended, resolution read a second time by title.

Mr. Bigelow mevod that the resolution be indefinitely postponed.

On this motion the ayes and noes were demanded, with the following result:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Cock, Campbell, Kerns, Maxwell, Maxon, Sinclair, Winans and Mr. Speaker—12.

Those voting in the negative were

Messrs. Brazee, Brewer, Coupe, Cline, Gray, Hovey, Hinkley, Judson, Lasater, Lloyd, Moore, McConaha, Ping, Scott and Whetstone—15.

Absent—Messrs. Finkbonner, Ashpaugh and Gosnell.

Motion lost.

Mr. Abbott moved that a committee of three be appointed to wait upon Miss Anthony and inform her of the action of Legislature.

Motion carried.

The chair appointed Messrs. Abbott, Coupe and Bigelow said committee.

Mr. McConaha moved that C. J. R. 4 be read second time. Motion carried.

Mr. Winans moved that the resolution be referred to committee on Agriculture.

Motion lost.

On motion of Mr. Bigelow,

The resolution was laid upon the table till 10 o'clock to-morrow morning.

On motion of Mr. Lasater,

House adjourned until to-morrow morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATVIES,
Thursday, October 19, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Kerns, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Gosnell and Judson.

Prayer by the Chaplain.

Journal of Wednesday read and approved.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 23—An act for the relief of Kitsap county,

Have had the same under consideration and have instructed me to report the same back and recommend that it be indefinitely postponed. An act passed Jan. 30, 1864, makes the county liable for expenses of taking insane to the asylum.

Respectfully submitted,

J. W. BRAZEE,

Chairman.

Mr. Cline, of the Select committee to whom was referred H. B. No. 27, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. 27—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1867,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

ELLIOTT CLINE,

Chairman.

Mr. Sinclair, of Snohomish, introduced

H. B. No. 30—An act to amend an act entitled "an act in relation to county auditors."

Bill read first time.

C. B. No. 5—An act to extend and define the corporate limits of the city of Walla Walla.

On motion of Mr. Lasater,

Bill read third time.

On motion of Mr. Kerns,

Referred to delegation from Walla Walla county.

C. J. R. No. 4.—Inviting Mr. Bull to reply to Miss Susan B. Anthony.

Resolution read third time.

On motion of Mr. Noyes,

Resolution indefinitely postponed.

Mr. Lasater moved that the House adjourn.

Mr. Brazee amended that House take a recess until two o'clock P. M.

Amendment adopted.

Vote recurring on the original motion as amended, it was carried.

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Thursday, October 19, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Cline, Coupe, Gray, Hovey, Hinkley, Kerns, Lloyd, Lasater, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Gosnell, Judson.

His Excellency the Governor, and the members of the Council were invited within the bar of the House.

Mr. Abbott, from committee appointed to wait upon Miss

Anthony, reported that she was present and prepared to address the House upon the question of female suffrage.

She was then introduced to the House by Mr. Speaker, and advocated in an able manner the question, with particular reference to Mr. Bigelow's bill.

On motion of Mr. Lasater,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, October 20, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh and Gosnell.

Prayer by the Chaplain.

Journal of Thursday read and approved.

Mr. Finkbonner, of Whatcom, introduced

H. J. M. No. 2—Praying for an appropriation for constructing a road from Seattle to Bellingham bay.

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent that at the present time there is no means of communication between Seattle, on Puget Sound, and Bellingham Bay, except by water; that the travel by water between the above mentioned points is at all times attended with much difficulty and delay, especially in the winter season; that a road, by land, can be made over a much shorter route and through a large extent of valuable farming land, by which means said land would be easy of access for immigration and cause a rapid settlement of the same, as the road passes through a portion of the Territory well adapted to agriculture; that the present mode of conveyance by water, is too expensive for the immigrant to incur in the transportation of teams, stock, &c.

Your memorialists would further state that some years since there was a military road laid out between Fort Steilacoom and Fort Bellingham, and labor performed on the same on the end near Steilacoom.

Wherefore, your memorialists would respectfully pray your honorable bodies to pass an act appropriating the sum of twenty thousand dollars to be applied in the construction of that portion of the military road between Seattle and Bellingham Bay.

Mr. Finkbonner, of Whatcom, introduced

H. B. No. 31—An act authorizing the county commissioners of Whatcom county to retain in the hands of the county treasurer the Territorial tax for years 1872, 1873 and 1874.

Bill read first time.

Mr. Maxwell, of Clarke, introduced

H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

Bill read first time.

No objections being made, bill was read second time now by title.

The bill was referred to the committee on Elections.

On motion of Mr. Lasater,

Mr. Brewer, of Thurston, introduced

H. B. No. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

Bill read first time.

Mr. Whetstone, of Walla Walla, introduced

H. B. No. 34—An act to secure to orphans and all children in the Territory a common school education.

Bill read first time.

H. M. 2—Praying an appropriation for a road from Seattle to Bellingham Bay.

Memorial read first time.

On motion of Mr. Lasater,

Referred to committee on Ways and Means.

SECOND READING OF BILLS.

H. B. No. 30—An act to amend an act entitled "an act in relation to county auditors."

On motion of Mr. Winans,

Referred to committee on Judiciary.

THIRD READING OF BILLS.

H. B. No. 23—An act for the relief of Kitsap county.

Bill read a third time.

Mr. Lasater moved that the report of the committee on H. B. 23 be adopted.

Motion carried.

Report of committee was adopted.

Bill indefinitely postponed.

H. B. No. 27—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1867.

Bill read third time.

Mr. Lasater moved that the report of committee be adopted.

Upon which motion the ayes and nays were demanded with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinckley, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—27.

Absent—Messrs. Ashpaugh, Gosnell and Judson.

So the report was adopted.

On motion of Mr. Winans,

H. B. No. 14—An act to enfranchise women.

Was taken from the table.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
October 20, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the action of Council on

H. B. No. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed January 19th, 1863.

I am instructed to return the said bill to the House of Representatives, because the same has not been submitted to the committee on Enrolled Bills of the Council, under joint rules No.'s 7 and 8, and no report of its proper enrollment has been made to the Council.

Also of the introduction inthe Council of the following:

C. B. No. 7—An act to authorize married women to transact business in their own names as sole traders.

C. B. No. 8—An act to authorize the county commissioners of Klikitat county to allow private parties to place gates upon roads and highways.

ELWOOD EVANS,
Chief Clerk.

Mr. Cock moved that H. B. No. 14 be indefinitely postponed.

Mr. Winans offered an amendment to H. B. No. 14. Insert after the word Washington, line one, the following:

"That whereas differences of opinion exist in the Territory in regard to the right of females to exercise the right of franchise; females are hereby declared to be entitled to the right of franchise in this Territory, both by virtue of the 14th and 15th amendments to the constitution of the United States, and by the laws of this Territory."

Amendment lost.

On motion of Mr. Noyes,

For the previous question, the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Brazee, Campbell, Finkbonner, Gray, Hovey, Hinckly, Lasater, Lloyd, Moore, Noyes, Ping, Scott and Whetstone—13.

Those voting in the negative were

Messrs. Barstow, Bigelow, Brewer, Cock, Coupe, Cline, Kerns, Maxwell, Maxon, McConaha and Mr. Speaker—11.

Absent—Messrs. Ashpaugh, Gosnell and Judson.

Motion for previous question carried.

The question being "Shall the bill be indefinitely postponed?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Barstow, Campbell, Cline, Finkbonner, Gray, Hovey, Hinckley, Lasater, Lloyd, Moore, McConaha, Noyes, Ping, Scott and Whetstone—16.

Those voting in the negative were

Messrs. Brazee, Bigelow, Brewer, Cock, Coupe, Kerns, Maxwell, Maxon, Sinclair, Winans and Mr. Speaker—11.

Absent—Messrs. Ashpaugh, Gosnell and Judson.

Bill was indefinitely postponed.

The message from the Council was then taken up.

On motion of Mr. Winans,

H. B. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed Jan. 19, 1863,

Was referred to the committee on Enrolled Bills.

On permission of the House,

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. 4—An act entitled an act relating to crimes and punishments and proceedings in criminal cases,

Have had the same under consideration, and have instructed me to report the same back to the Council and recommend that it be amended as follows:

Amend the title of the bill so as to read "to amend an act entitled an act relative to crimes and punishments and proceedings in criminal cases, passed Dec. 2, 1869."

That section one, line two, be amended so as to read "That line six, in section one hundred and eight of said act, be and the same is hereby amended by striking out the word ten where it appears and insert in lieu thereof the word fifteen."

GEO. N. McCONAHA,
Chairman.

H. B. No. 4—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases,"

Was then read by title, and

On motion of Mr. Cock,

The report of the committee was adopted.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinckly, Kerns, Lasater, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—25.

Negative—Mr. Abbott.

Absent—Messrs. Ashpaugh, Gosnell and Judson.

So the bill passed as amended.

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 5—An act to authorize E. S. Fowler and others to construct a wharf at Port Townsend, W. T.

H. B. No. 18—An act for the protection of clerks of the district courts.

Have had the same under consideration, and have instructed me to report them back to the House and recommend that they do not pass.

Respectfully submitted,

G. N. McCONAHA,

Chairman.

On motion of Mr. Cock,

The report of the committee was adopted.

Mr. McConaha of King, of the committee on Judiciary, made the following report:

MR. SPEAKER—

Your committeee on Judiciary, to whom was referred

H. B. No. 24—An act to fix the time and place of holding the supreme and several district courts of Washington Territory,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

On motion of Mr. Cock,

The report of the committee was adopted.

Mr. Campbell moved that H. B. No. 24 be amended as follows, to-wit:

Strike out the word "second," in line 10, and insert "third;" strike out "November," line 10, and insert "September."

Mr. Campbell moved that H. B. No. 24 be laid on the table for one week.

Motion lost.

The question recurring on the amendments offered to H. B. 24, they were lost.

Mr. Maxon moved that in line four the word "Steilacoom" be struck out and "Freeport" inserted.

Motion lost.

The question being "Shall the bill pass?" the ayes and noes were demanded with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Coupe, Cock, Cline, Finkbonner, Gray, Hovey, Hinkley, Kerns, Lasater, Lloyd, Maxwell, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—25.

Those voting in the negative were

Messrs. Campbell and Maxon—2.

Absent—Messrs. Ashpaugh, Gosnell and Judson.

So the bill passed.

On motion of Mr. Lasater,

The words "and place" in the title to H. B. No. 24, were struck out, and the title, as so amended, agreed to.

On motion of Mr. Bigelow,

House adjourned till 10 A. M. to-morrow.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, October 21, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Winans presented a remonstrance from the citizens of Stevens county, against the division of said county, signed by Henry Wellington and 127 others.

On motion of Mr. Brazee,

Referred to committee on Counties.

Mr. Lasater, of Walla Walla, introduced

H. B. 35—An act to amend an act entitled "an act to regulate fees and costs so far as relates to Walla Walla county."

Bill read first time.

Mr. Ping, of Walla Walla, introduced

H. B. No. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county.

Bill read first time.

H. B. No. 31—An act authorizing the county commissioners of Whatcom county to retain in the hands of the county treasurer the Territorial tax for years 1872, 1873 and 1874.

Bill read second time.

Mr. Finkbonner moved to refer to committee on Judiciary, pending which,

Mr. Lasater moved an amendment to refer to committee on Ways and Means.

Amendment adopted.

Question recurring on original motion as amended, it was carried.

H. B. No. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

No objection being made, the bill was read second time by title.

On motion of Mr. Noyes,

Now was assigned as the time for the third reading of the bill.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinckley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—28.

Absent—Messrs. Ashpaugh and Gosnell.

So the bill passed and the title agreed to.

H. B. No. 34—An act to secure to orphans and all children in the Territory a common school education.

No objections being made, read second time now, by title, and

On motion of Mr. Kerns,

Referred to committee on Education.

Mr. Lasater, of Walla Walla, moved that

H. B. No. 7—An act to repeal an act entitled an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto,

Be taken from the table.

Motion lost.

Mr. McConaha, of King, introduced

H. B. No. 37—An act appropriating certain taxes for a certain road and regulating the expenditure thereof.

Bill read first time.

Mr. Speaker announced the report of the Territorial auditor as lying on the table.

On motion of Mr. More,

Referred to committee on Ways and Means.

H. B. No. 26—An act entitled an act to prevent certain animals running at large in certain counties.

Bill read third time.

Also the report of the Select committee on H. B. No. 26.

On motion of Mr. Bigelow,

The bill and report were referred to a Select committee of nine from all parts of the Territory.

Whereupon the Speaker appointed the following committee: Messrs. Brewer, Sinclair, Cock, Hinkley, More, Maxwell, Abbott, Whetstone and Winans.

On motion of Mr. Hinkley,

Adjourned until Monday morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, October 23, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Cline, Coupe, Gosnell, Gray, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Abbott.

Journal of Saturday read and approved.

Prayer by the Chaplain.

Mr. Hinkley presented a petition from the citizens of Seattle praying that the limits of Seattle be narrowed.

On motion of Mr. Judson,

Referred to delegation from King county.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed January 19, 1863,

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Maxwell, of the committee on Corporations, made the following report:

MR. SPEAKER—

The committee on Corporations, to whom was referred

H. B. No. 6—An act to prevent the building of fish traps in fresh water streams or creeks in Washington Territory,

Have instructed me to report a substitute with the following title:

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.*

G. W. MAXWELL,

Chairman.

Mr. Maxwell, chairman of committee on Corporations, made the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. No. 9—An act authorizing James Keymes and others to construct a wharf at Port Townsend, W. T.

Have had the same under consideration and have instructed me to report the same back and recommend that it be indefinitely postponed.

Respectfully submitted,

G. W. MAXWELL,

Chairman.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 38—An act to assign the District Judges to the several Judicial Districts.

Bill read first time.

Mr. Cline, of Clalm, introduced

H. B. No. 39—An act authorizing the county commissioners of Clalm county to expend the Territorial tax of said county for the year 1872, on the Territorial road from Squim Bay to Port Angelos.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Bigelow,

Referred to committee on Ways and Means.

SECOND READING OF BILLS.

H. B. No. 35—An act to amend an act entitled "an act to regulate fees and costs so far as relates to Walla Walla county."

On motion of Mr. Lasater,

Bill read second time.

On motion of Mr. Lasater,

Referred to delegation from Walla Walla county.

H. B. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county.

On motion of Mr. Lasater,

Bill read second time.

On motion of Mr. Judson,

Referred to delegation from Walla Walla county.

H. B. No. 37—An act appropriating certain taxes for a certain road and regulating the expenditure thereof.

On motion of Mr. McConaha,

Bill read second time.

Mr. McConaha moved that it be referred to committee on Appropriations.

Mr. Lasater moved an amendment that it be referred to committee on Ways and Means.

Amendment adopted.

Question recurring on the original motion as amended, it was carried.

Report from committee on Corporations read.

On motion of Mr. Brazee,

The report of the committee was adopted.

Substitute to H. B. No. 6—An act to prevent the building of fish traps in fresh water streams in the Territory.

Bill read first time.

Report of committee on Corporations on

H. B. No. 9—An act authorizing James Keyms and others to construct a wharf at Port Townsend, W. T.,

On motion of Mr. Bigelow,

The report of the committee was adopted.

Report of the committee on Enrolled Bills on

H. B. No. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," was read and

On motion of Mr. Judson,

The report of the committee was adopted.

On motion of Mr. Lasater,

Mr. Anderson Cox was invited within the bar of the House to make an explanation in regard to petition to divide Stevens county.

Mr. Coupe, of Island, introduced

H. J. R. No. 2—Relative to adjournment.

Mr. McConaha moved that the rules be suspended and resolution read second time.

Motion lost.

On motion of Mr. Bigelow,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, October 24, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Journal of yesterday read and approved.

Prayer by the Chaplain.

Mr. Judson, of Pierce and Mason, introduced

H. M. No. 3—Relative to an appropriation for repairing jail at Steilacoom.

On motion of Mr. More,

The chair appointed Mr. Whetstone on committee on Elections, in place of Ashpaugh absent.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B's 31 and 27, have have had the same under consideration and have instructed me to return them and recommend that they do not pass.

Respectfully submitted,

J. W. BRAZEE,

Chairman.

Mr. Brazee, from the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. 21—An act in relation to Territorial convicts,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

J. W. BRAZEE,

Chairman.

Mr. Finkbonner introduced the following resolution:

Resolved, That the committee on Roads and Highways be hereby increased by adding one member from each Council district.

Resolution adopted.

The Speaker announced the following addition in accordance with said resolution: Messrs. Scott, Cock, Brewer, Cline and Winans.

Mr. Barstow, of Pacific, introduced

H. B. No. 40—An act in relation to the sheriffs of Pacific,

Yakima, Kitsap, Skamania, Whatcom, Snohomish, Clalm and Stevens counties.

Bill read first time.

Mr. Maxon, of Clarke, introduced

H. B. No. 41—An act to recover property removed by high water.

Bill read first time.

Mr. Whetstone, of Walla Walla, introduced

H. B. No. 42—An act authorizing the county commissioners of Walla Walla county to retain Territorial tax for years 1871, 1872, 1873 and 1874, to aid in construction of a railroad from Columbia river to Walla Walla.

Bill read first time.

On motion of Mr. Maxon.

Bill read second time.

Mr. Kerns moved that the bill be referred to committee on Ways and Means.

Mr. Cock offered an amendment that bill be referred to committee on appropriations.

Amendment lost.

Mr. Winans, of Stevens, introduced

H. B. No. 43—An act authorizing the county commissioners of Stevens county to use the Territorial tax for years 1871 and 1872, to locate and construct a certain road in Stevens county, W. T.

Bill read first time.

On motion of Mr. Campbell,

Roferred to committee on Ways and Means.

Mr. Cock, of Yakima, introduced

H. B. No. 44—An act to prescribe the manner of changing and locating county seats.

Bill read first time.

On motion of Mr. Cock,

Bill read second time.

On motion of Mr. Coupe,

H. B. 44—An act prescribing the manner of locating and changing county seats,

Referred to Committee on Counties.

Mr. Cock, of Klikitat, introduced

H. B. No. 45—An act to protect the people of Washington Territory from empiricism.

Bill read first time.

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.

No objections being made, bill was read second time now by title.

On motion of Mr. Lasater,

Referred to committee on Judiciary.

H. B. No. 38—An act to assign the district judges to the several judicial districts.

No objection being made, bill read a second time now, by title.

Mr. Abbott offered the following amendments: "Strike out the name of Hon. R. S. Green in line two, section one, and insert Hon. O. Jacobs instead."

"Strike out the name of Hon. Jas. K. Kennedy, in line one, section two, and insert Hon. R. S. Green."

"Strike out Hon. O. Jacobs in line one, section three, and insert Hon. Jas. K. Kennedy."

Amendment lost.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
October 24, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 9—An act to make uniform the practice in all suits of chancery jurisdiction.

C. B. No. 10—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

And of the adoption as a substitute for C. B's No. 1 and No. 3, of

C. B. No. 11—An act defining the rights of husband and wife and in relation to descent and distribution of property.

Also that the President has signed the following:

H. B. No. 10—An act to amend an act entitled "an act to create and regulate the office of sheriff," passed January 19th, 1863.

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. Cock,

H. B. No. 38—An act to assign the District Judges to the several Judicial Districts.

Was referred to a Select committee of nine composed of three from each judicial district.

The Speaker appointed the following: Messrs. Cock, Winans, Lasater, Maxwell, Brazee, Bigelow, Coupe, Hovey and Judson.

H. B. No. 21—An act in relation to Territorial convicts.

On motion of Mr. Bigelow,

Now assigned as time for third reading.

Bill read a third time.

On motion of Mr. Winans,

Report of committee was adopted.

Mr. Abbott moved to amend by striking out in third line the words, coffee, tea and sugar.

Amendment adopted.

Mr. Lasater moved further to amend by striking out all after the word "made," in section nine. line 6, and insert instead "*Provided,* That nothing in this act contained shall be in conflict with an act providing for the relief of Pierce county, approved Dec. 2, 1869."

Amendment carried.

Mr. Gosnell moved further to amend by striking out the word "tobacco" where it appears.

Amendment lost.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, More, McConaha, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—26.

Those voting in the negative were

Messrs. Coupe and Noyes.

So the bill passed and the title agreed to.

Mr. Bigelow, of Thurston, introduced

H. R. No. 4—Requesting the Secretary of the Territory to furnish a committee room for the use of the committees of the House.

Resolution read first time.

On motion of Mr. Bigelow,

The rules were suspended and the resolution was read second time.

On motion of Mr. Bigelow,

The rules were further suspended and the resolution was read third time.

The question being "Shall the resolution pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinckley, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—27.

H. B. No. 31—An act authorizing the county commissioners of Whatcom county to retain in the hands of the county treasurer the Territorial tax for years 1872, 1873 and 1874.

Now was assigned as the time for the third reading of the bill. Bill read a third time.

On motion of Mr. Kerns,

Report of committee of Ways and Means thereon was then adopted.

H. B. No. 37—An act appropriating certain taxes for a certain road and regulating the expenditure thereof.

On motion of Mr. Winans,

Now was assigned as the time for the third reading of the bill. Bill read third time.

H. J. R. No. 2—Relative to adjournment.

Mr. Winans moved to refer the same to committee on Commerce.

Motion lost.

Amendment offered by Mr. Lasater to strike out Saturday, Nov. 11, and insert Monday, Nov. 13, pending which,

On motion of Mr. Cock,

House adjourned till 10 A. M. to-morrow.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, October 25, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Jud-

son, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Mr. Ashpaugh.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Gosnell presented a petition from the citizens of Lewis county, praying for a Territorial road. Petition read and

On motion of Mr. Gosnell,

Referred to committee on Roads and Highways.

Mr. Lasater presented a petition from citizens of Walla Walla county, praying for the uninterrupted flow of the waters of Pataha creek. Petition read and

On motion of Mr. Brazee,

Referred to special committee consisting of delegation from Walla Walla county.

Mr. Noyes, chairman of the committee on Elections, made the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. No. 25—An act relating to district, county and precinct officers,

Have had the same under consideration and have instructed me to report the same back and recommend that it be indefinitely postponed.

C. J. NOYES,
Chairman.

Mr. Lasater, from Select committee consisting of the delegation from Walla Walla county, made the following report:

MR. SPEAKER—

The House delegation from Walla Walla county, to whom was referred

H. B. No. 35—An act to amend an act entitled "an act to regulate fees and costs so far as relates to Walla Walla county,"

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

J. H. LASATER,
Chairman.

Mr. Lasater, from Select committee consisting of the Walla Walla delegation, made the following report:

MR. SPEAKER—

The House delegation from Walla Walla county, to whom was referred

H. B. No. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county,

Have had the same under consideration, and have instructed me to report the same back to the Council and recommend that it be amended as follows:

"In line four, section four, and line three, section five, strike out the words one dollar and insert in lieu thereof the words one dollar and fifty cents."

J. H. LASATER,
Chairman.

Mr. Brewer, from Select committee, made the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. No. 26—An act entitled an act to prevent certain animals running at large in certain counties,

Have had the same under consideration and report two separate bills as a substitute for the same, and recommend their passage.

R. BREWER,
Chairman.

Mr. Winans, of Stevens, introduced

H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways."

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Winans,

Referred to committee on Roads and Highways.

Mr. Bigelow, of Thurston, introduced

H. B. No. 47—An act in relation to dogs.

Bill read first time.

Mr. Bigelow, of Thurston, introduced

H. B. 48—An act in relation to poisons.

Bill read first time.

No objections being made, the bill was read second time by title, and

On motion of Mr. Cock,

Referred to committee on Agriculture.

Mr. Maxon, of Clarke, introduced

H. B. No. 49—An act to amend "an act entitled an act to authorize a special tax in the county of Clarke."

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Maxon,

Referred to delegation from Clarke county.

Mr. Bigelow in the chair.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 50—An act relating to costs incurred in criminal prosecutions, for offences committed on Islands held under joint occupation of the United States and Great Britain.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Cock,

Referred to committee on Judiciary.

Mr. More, of Pierce, introduced

H. B. No. 51—An act to amend "an act relating to collection of county and Territorial revenue."

Bill read first time.

SECOND READING OF BILLS.

H. B. No. 40—An act in relation to the sheriffs of Pacific and Stevens counties.

On motion of Mr. Bigelow,

Bill read second time.

On motion of Mr. Lasater,

Referred to delegation from Stevens and Pacific counties.

H. B. No. 41—An act to recover property removed by high water.

On motion of Mr. Van Bokkelen,

Bill read second time.

On motion of Mr. Van Bokkelen,

Referred to Committee on Judiciary.

H. B. No. 45—An act to protect the people of Washington Territory from empiricism.

On motion of Mr. Noyes,

Bill read second time.

On motion of Mr. Lasater,

Referred to a Select committee of one from each county in the Territory.

The Speaker appointed the following committee: Messrs. Winans, Lasater, Brazee, Kerns, Gray, Barstow, Gosnell, Brewer, Campbell, Judson, More, McConaha, Sinclair, Coupe, Finkbonner, Cline.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
October 25, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. No. 9—An act to make uniform the practice of all suits of chancery jurisdiction.

H. B. No. 24—An act to fix the time and place of holding the supreme and several district courts of Washington Territory.

Also of the adoption by the Council of a substitute for

C. B. No. 4—An act to amend an act entitled "an act to regulate marriage."

Said substitute being numbered and entitled

C. B. No. 12—An act to regulate marriage.

ELWOOD EVANS,
Chief Clerk.

H. J. R. No. 2—Relative to adjournment.

On motion of Mr. Bigelow,

Resolution read third time.

Mr. Winans offered the following amendment to the amendment thereto:

Resolved by the Council, the House concurring, That the Legislative Assembly of Washington Territory adjourn on Wednesday, Nov. 1, for seven days, to meet Wednesday, Nov. 8, 1871, at 10 o'clock A. M.

Mr. Winans amendment was then carried.

On this question the ayes and noes were demanded, with the following result:

Those voting in the affirmative were

Messrs. Abbott, Bigelow, Cock, Campbell, Cline, Finkbonner, Gray, Hovey, Kerns, Maxwell, McConaha, Noyes, Scott, Sinclair, Winans and Mr. Speaker—16.

Those voting in the negative were—

Messrs. Brazee, Barstow, Brewer, Coupe, Gosnell, Hinkley,

Judson, Lasater, Lloyd, Maxon, Moore, Ping, Whetstone—13.

So the resolution passed.

Report of Committee on Elections.

H. B. No. 25—An act relating to district, county and precinct officers.

On motion of Mr. Brazee,

The report of the committee was adopted.

Report of Select committee of Walla Walla county on

H. B. 35—An act to amend an act entitled "an act to regulate fees and costs so far as relates to Walla Walla county."

On motion of Mr. Lasater,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gosnell, Hovey, Hinckley, Judson, Kerns, Lasater, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—27.

Absent—Messrs. Ashpaugh, Gray and Lloyd.

So the bill passed and the title agreed to.

H. B. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county.

Now was assigned as the time for the third reading of the bill.

Bill read third time.

Mr. Brazee moved to amend H. B. No. 36 by striking out the words "and Territorial," line one, section three.

Motion lost.

Mr. Kerns offered the following amendment: "Insert in section two, after the word law, for road purposes as aforesaid."

Motion carried.

On motion of Mr. Lasater,

The bill was amended by inserting in section four, line ten, after the word "every" the word "male."

The question being on the passage of this bill, it was unanimously passed and title agreed to.

Substitute for H. B. No. 26—An act to prevent stud horses, stud mules, jackasses or ridglings from running at large.

Bill read first time.

C. B. No. 9—An act to make uniform the practice in all suits of chancery jurisdiction.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Lasater,

Referred to a Select committee composed of attorneys of the House.

The Speaker announced

H. B. No. 24—An act to fix the time and place of holding the supreme and several district courts of Washington Territory,

As lying on the table returned from the Council as passed.

On motion of Mr. Van Bokkelen,

Was referred to the committee on Enrolled Bills.

The Speaker announced the report of the University Regents as lying upon the table.

On motion of Mr. Van Bokkelen,

One thousand copies of the report were ordered printed.

On motion of Mr. McConaha,

Leave of absence was granted the Enrolling Clerk until next Wednesday.

On motion of Mr. Judson,

House adjourned until to-morrow morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATVIES,
Thursday, October 26, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Cline, Coupe, Gosnell, Gray, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Prayer by the Chaplain.

Journal of Wednesday read and approved.

Mr. Brazee, from the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 39—An act authorizing the county commissioners of Clalm county to expend the Territorial tax of said county for the year 1872, on the Territorial road from Squim Bay to Port Angelos,

Have had the same under consideration, and have instructed me to report it back to the House and recommend that it do not pass.

Respectfully submitted,
J. W. BRAZEE,
Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 42—An act authorizing the county commissioners of Walla Walla county to retain Territorial tax for years 1871, 1872, 1873 and 1874, to aid in construction of a railroad from Columbia river to Walla Walla.

H. B. No. 43—An act authorizing the county commissioners of Stevens county to use the Territorial tax for years 1871 and 1872, to locate and construct a certain road in Stevens county, W. T.

Have have had the same under consideration, and have instructed me to return them to the House and recommend that they do not pass.

Respectfully submitted,

J. W. BRAZEE,

Chairman.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

H. B. No. 44—An act to prescribe the manner of changing and locating county seats,

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend its passage.

H. D. COCK,

Chairman.

Mr. Gray, of Cowlitz, introduced

H. B. No. 54—An act concerning fences.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Kerns,

The bill was referred to a Special committee of five.

The Speaker appointed Messrs. Cock, Gray, Whetstone, Cline and Kerns.

Mr. Maxon, of Clarke, introduced

H. B. No. 55—An act in relation to gates across public highways.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Bigelow,

Referred to committee on Roads and Highways.

Mr. Finkbonner moved to amend by referring to Select committee of five, pending which,

Mr. Kerns moved to amend the amendment by referring to Committee on Agriculture.

Amendment to the amendment lost.

Amendment lost.

Question recurring on the original motion it was carried.

Mr. Maxon, of Clarke, introduced

H. B. No. 56—An act conferring upon boards of county commissioners certain powers in regard to swine.

Bill read first time.

Substitute for H. B. No. 26—An act entitled an act to prevent certain animals running at large in certain counties.

On motion of Mr. Winans,

Bill read second time.

On motion of Mr. Winans,

Referred to committee on Judiciary.

Further Substitute for H. B. No. 26—An act to prevent bulls and stags from running at large.

Bill read second time.

On motion of Mr. Judson,

Amended by striking out the word "two," in line three, section one, and

On motion of Mr. Abbott,

Second substitute was indefinitely postponed.

H. B. No. 47—An act in relation to dogs.

On motion of Mr. Bigelow,

Referred to Committee on Agriculture.

H. B. No. 51—An act to amend an act in relation to county and Territorial revenue.

Bill read second time.

On motion of Mr. Campbell,

Referred to committee on Ways and Means.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
October 26, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 13—An act defining the rights of husband and wife, and in relation to descent and distribution of real and personal estate.

Also the passage in the Council of the following:

H. B. No. 12—An act to divide the Territory of Washington into judicial districts.

H. B. No. 27—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1867.

H. B. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

C. B. No. 8—An act to authorize the county commissioners of Klikitat county to allow private parties to erect gates on roads and highways.

And that the Council has refused to pass

H. B. No. 22—An act to regulate interest on money and to prevent usury.

ELWOOD EVANS,
Chief Clerk.

Report of committee on H. B. No. 39.

On motion of Mr. Lasater,

The report of the committee was adopted.

Report of committee on H. B. No. 42.

On motion of Mr. Kerns,

It was adopted.

Report of the committee on H. B. No. 43.

On motion of Mr. Bigelow,

Report of committee was adopted.

H. B. 44—An act prescribing the manner of locating and changing county seats.

Bill read a third time.

On motion of Mr. Cock,

Report of committee of Ways and Means thereon was then adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Bill passed and title agreed to.

On motion of Mr. Bigelow,

The amendments made by the Council to

H. B. No. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

Were concurred in by the House of Representatives.

C. B. No. 8—An act to authorize the county commissioners of Klikitat county to allow private parties to place gates upon roads and highways.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Cline,

The bill was amended by inserting the word "Clalm" after the word "Klikitat."

On motion of Mr. Barstow,

The word "Pacific" was ordered inserted after the word "Clalm."

On motion of Mr. Maxon.

The word "Clarke" was inserted after the word "Pacific."

On motion of Mr. Sinclair,

The word "Snohomish" was ordered inserted after the word "Clarke."

On motion of Mr. Lasater,

Referred to committee on Roads and Highways.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
October 26, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage of

C. B. No. 14—An act for the preservation of certain game birds

ELWOOD EVANS,
Chief Clerk.

C. B. No. 14—An act in relation to game birds.

Bill read first time.

H. B. No. 12—An act to divide the Territory into judicial districts.

On motion of Mr. Winans,

Referred to committee on Enrolled Bills.

H. B. 27—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1867,

On motion of Mr. Brazee,

Referred to committee on Enrolled Bills.

H. B. No. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

On motion of Mr. Cock,

Referred to committee on Enrolled Bills.

On motion of Mr. Brazee,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, October 27, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Abbott and Noyes.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Winans, of Stevens, introduced

H. J. M. No. 4—Praying for the retention of the garrison at Fort Colville.

Memorial read first time.

On motion of Mr. Cock,

Referred to committee on Military Affairs.

To the Honorable Secretary of War of the United States:

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent that the county of Stevens embraces within its boundaries nearly one-half of Washington Territory, being two hundred miles in length and one hundred and fifty in breadth, and containing thirty thousand square miles; that it is inhabited by the Spokan, Cour d'Alene,

Isle d'Pierre, San Poel, Okanagan, Lake, Colville, and Callispel tribes of Indians, in all numbering about forty-five hundred; that Colville valley contains one hundred and twenty-seven white settlers, with thirty women, and one hundred and seventeen children, and that there are scattered in various settlements here and there, in other parts of the county, one hundred and thirty-seven white settlers, with forty women and one hundred and fourteen children; that no treaty has ever been made by the United States with the Indians of Stevens county, or have they ever been placed on reservations; that Fort Colville is a military post of the United States garrisoned by a single company of infantry, and situated at a distance of two hundred miles from the settled portions of Washington Territory east of the Cascade mountains; that the Indians inhabiting Stevens county have heretofore been kept in check, owing to the presence of this small body of troops (since their defeat by the late General George Wright) but that when lately it was rumored the troops would be removed, they became emboldened and openly announced their intention of driving out the white settlers and taking possession of their property as soon as the removal of the troops was accomplished; that the settlers of Colville valley would be unable to protect themselves, and would be compelled to abandon their farms on which they have expended many years of toil, were the troops removed; that the settlers in other parts of the county, except possibly those living near the county of Walla Walla, would likewise be driven from their homes by the Indians, and that hostilities between the whites and Indians would almost necessarily follow the removal of the troops; that in anticipation of the Northern Pacific railroad passing across Stevens county, settlers are immigrating to it very rapidly, and that in the opinion of your memorialists, the military post already established by the government, with its garrison, should be continued until the settlers are numerous enough to protect themselves and to convince the Indian tribes living in that county that any resistance to immigration or hostilities to the white population would be futile.

Wherefore, your memorialists would respectfully and earnestly ask that the post at Fort Colville remain garrisoned as at present, till the increase of the population of the county may render the same no longer necessary to the safety of the inhabitants.

And as in duty bound, your memorialists will ever pray.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

H. B. No. 45—An act to protect the people of Washington Territory from empiricism,

Have had the same under consideration and have instructed me to report the same back and recommend that it be indefinitely postponed.

Respectfully submitted,

H. D. COCK,
Chairman.

On motion of Mr. Maxon,

Leave of absence was granted to Mr. Abbott until Nov. 11, in consequence of sickness in family.

Mr. More, of Pierce, introduced

H. J. R. 3—Relative to joint committee to examine reports of Territorial treasurer and auditor.

On motion of Mr. Gosnell,

Resolution read first time.

On motion of Mr. Brazee,

The rules were suspended, resolution read a second time by title.

On motion of Mr. Campbell,

The rules were further suspended and the resolution was read third time.

The question being "Shall the resolution pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinckley, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—28.

On motion of Mr. Coupe,

The clerk was instructed to report the passage of the above to the House.

H. B. No. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county,

On motion of Mr. Cock,

Now assigned as time for third reading.

Bill read third time.

On motion of Mr. Bigelow,

Referred to committee on Counties.

C. B. No. 14—An act for the preservation of certain game birds.

On motion of Mr. More,

Bill read a second time.

On motion of Mr. Noyes,

Amended by striking out "or other game birds," lines two and three, section one, and line one, section two.

On motion of Mr. Lasater,

Referred to committee on Agriculture.

Report of committee on Counties on

H. B. No. 45—An act to protect the people of Washington Territory from empiricism.

On motion of Mr. Noyes,

The report of the committee was adopted.

H. J. R. No. 2—Relative to adjournment.

The clerk was instructed to report forthwith to the Council the passage of said resolution.

On motion of Mr. Lasater,

House took a recess for fifteen minutes.

On motion of Mr. Campbell,

The House went into an informal committee of the whole on H. B. No. 54—An act concerning fences.

At the expiration of 15 minutes the House was again called to order.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
October 27, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives of the passage of

H. J. R. No. 2—Relative to adjournment.

The resolution was amended by the Council so as to read:

Resolved by the Council, the House concurring, That the Legislative Assembly take a recess from Wednesday, November 1, 1871, until Saturday, November 11, 1871.

The Council requests the House to concur in said amendment.

ELWOOD EVANS,
Chief Clerk.

Mr. Lasater moved that House concur in the Council amendment to H. J. R. No. 3.

Upon which motion the ayes and nays were demanded with the following result:

Those voting in the affirmative were—

Messrs. Brazee, Campbell, Coupe, Cline, Gray, Gosnell, Hovey, Hinckley, Lasater, Lloyd, Moore, McConaha, Ping, Scott and Mr. Speaker—15.

Those voting in the negative were

Messrs. Barstow, Bigelow, Brewer, Cock, Finkbonner, Judson, Kerns, Maxwell, Maxon, Noyes, Sinclair, Winans and Whetstone—13.

So the House concurred in Council amendments.

The clerk was instructed to report forthwith to the Council such action by the House.

On motion of Mr. Lasater,

House adjourned till 10 A. M. to-morrow.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, October 28, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Journal of yesterday read and approved.

Prayer by the Chaplain.

Absent—Messrs. Ashpaugh, Abbott.

Mr. Whetstone, of Walla Walla, introduced

Petition from the citizens of Walla Walla praying for the removal from office of Hon. Jas. K. Kennedy.

Mr. Winans moved to refer the petition to committee on Federal Relations and Memorials, pending which,

Mr. Lloyd offered an amendment to refer to committee on Judiciary.

Amendment lost.

Question recurring on the original motion, the same was duly carried.

Mr. Noyes, chairman of the committee on Elections, made the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein,

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend its passage.

C. J. NOYES,
Chairman.

Mr. Finkbonner, from the committee on Roads and Highways, made the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways,"

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

C. C. FINKBONNER,
Chairman.

Mr. Maxon, from committee on Agriculture, made the following report:

MR. SPEAKER—

The committee on Agriculture to whom was referred

H. B. No. 47—An act in relation to dogs,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

S. D. MAXON,
Chairman.

Mr. Winans, chairman of the Select committee consisting of the members from Stevens and Pacific counties, made the following report:

MR. SPEAKER—

Your committee, composed of the delegation from the counties of Stevens and Pacific, to whom was referred

H. B. No. 40—An act in relation to the sheriffs of Pacific, Yakima, Kitsap, Skamania, Whatcom, Snohomish, Clalm and Stevens counties,

Have had the same under consideration and would recommend that section one be amended to read as follows:

"That the sheriffs of the counties of Pacific, Yakima, Lewis, Kitsap, Whatcom, Snohomish and Stevens, in the Territory of Washington, shall be *ex-officio* assessors of said counties, and shall perform all the duties required by law to be performed by assessors, and they shall be governed by all the laws in relation thereto."

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Bigelow, of Thurston, introduced

H. J. R. No. 4—Relative to payment of Rev. J. F. Devore for services as chaplain rendered at third session of Washington Territory legislature.

On motion of Mr. Bigelow,

Resolution read first time.

WHEREAS, The House of Representatives of Washington Territory, did on the fourth day of December, 1855, elect Rev. John F. Devore, chaplain, and as he served in that capacity during the whole session of sixty days, and has never been paid for said services; therefore,

Be it resolved by the House, the Council concurring, That the Secretary of the Territory of Washington be requested to pay said claim, if not incompatible with his duty and instructions, and in the event of his inability to pay said claim out of moneys in his hands, that he refer the matter to the secretary of the

treasury of the United States, and urge the payment of the said claim at the same rate that chaplains have since been paid.

On motion of Mr. Lasater,

The rules were suspended and the resolution was read second time.

On motion of Mr. Noyes,

Now was assigned as the time for the third reading of the resolution.

Resolution read third time.

The question being "Shall the resolution pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Kerns, Lloyd, Lasater, Maxwell, Maxon, Moore, Noyes, Ping, Scott, Sinclair, Winans and Mr. Speaker—25.

Those voting in the negative were

Messrs. Judson, McConaha, Whetstone—3.

Absent—Messrs. Ashpaugh and Abbott.

Resolution adopted.

Mr. Maxon gave notice that on some future day he would introduce a bill to regulate interest on money and for the prevention of usury.

Mr. McConaha, of King, introduced

H. B. No. 57—An act to amend an act to incorporate the city of Seattle.

Mr. McConaha, of King, introduced

H. B. No. 58—An act to amend an act entitled "an act to regulate the practice in civil actions."

On motion of Mr. Lasater,

Bill read first time.

No objections being made, the bill was read second time by title, and

On motion of Mr. Judson,

H. B. No. 58—An act to amend an act entitled an act to regulate the proceedings in civil cases,

Referred to committee on Judiciary.

Report of committee on

H. M. 2—Praying an appropriation for a road from Seattle to Bellingham Bay.

On motion of Mr. Campbell,

The report of the committee was adopted.

On motion of Mr. Lasater,

H. M. No. 2—Asking an appropriation for a road from Seattle to Bellingham Bay,

Was amended by inserting "joint" in the memorial so as to read H. J. M.

The question being "Shall the memorial pass?" the ayes and noes were demanded with the following result:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—26.

Those voting in the negative were—

Messrs. Gosnell and Kerns—2.

Absent—Messrs. Ashpaugh, Abbott.

Report of committee on

H. B. No. 40—An act in relation to the sheriffs of Pacific and Stevens counties,

On motion of Mr. Cock,

The word "Yakima" was inserted after the word "Stevens" in the bill.

On motion of Mr. Hovey,

The word "Kitsap" was inserted after the word "Yakima" in the bill.

On motion of Mr. Brazee,

The word "Skamania" was inserted after the word "Kitsap" in the bill.

Mr. More moved that all after the word "counties," line three, section two, be struck out.

Motion lost.

On motion of Mr. Gosnell,

The word "Lewis" was inserted after the word "Skamania" in the bill.

On motion of Mr. Finkbonner,

The word "Whatcom" was inserted after the word "Lewis" in the bill.

On motion of Mr. Sinclair,

The word "Snohomish" was inserted after the word "Whatcom."

On motion of Mr. McConaha,

The word "King" was inserted after the word "Snohomish" in the bill.

On motion of Mr. Lasater,

Laid on the table subject to the order of the House.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
October 28, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives of the passage of

H. B. No. 13—An act to sub-divide the judicial districts of the Territory of Washington and providing places for holding courts therein,

The Council requests the House to concur in amendments made by the Council.

H. J. R. No. 3—Relative to examination of the Territorial treasurer and auditors reports by joint committee on Ways, Means and Claims,

With amendments, requesting the concurrence of the House in said amendment.

ELWOOD EVANS,
Chief Clerk.

Report of the committee on

Substitute for H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways.

On motion of Mr. Barstow,

The report of the committee was adopted.

On motion of Mr. Lasater,

The bill was amended by adding an additional section as follows: "None of the previous provisions of this act shall apply to the county of Walla Walla."

On motion of Mr. Lasater,

Bill was laid od the table subject to the order of the House.

On motion of Mr. Campbell,

Adjourned until Monday morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, October 30, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Prayer by the Chaplain.

JOINT CONVENTION OF LEGISLATIVE ASSEMBLY.

Pursuant to an act of the Legislative Assembly approved Nov. 27, 1869, entitled "an act providing for the holding of joint convention to elect Territorial officers," the two branches of the Legislative Assembly met in joint convention in the hall of the House of Representatives, at 12 o'clock M., on Monday, the 30th day of October, 1871, the same being the fourth Monday next after the organization of the Legislative Assembly.

The President of the Council in the chair.

Upon calling the roll the following members answered to their names:

OF THE COUNCIL:

Present—Messrs. Calhoun, Foster, Huntington, Joslyn, McReavy, O'Bryant, Smith of Thurston, Stewart and Mr. President.

OF THE HOUSE OF REPRESENTATIVES:

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

A quorum being present, the proceedings opened with prayer by Rev. J. R. Thompson, chaplain of the Council.

The President announced the first thing in order to be the election of a Territorial auditor.

On motion of Mr. Bigelow,

The election to be *viva voce*.

Mr. Huntington, of the Council, nominated Nathan S. Porter.

Mr. Van Bokkelen, of the House, nominated William H. Cushman.

Mr. Lasater, of the House, nominated J. M. Murphy.

The following is the vote:

Those voting for N. S. Porter were as follows:

Of the Council—Messrs. Huntington, Joslyn, Smith and Mr. President—4.

Of the House of Representatives—Messrs. Brazee, Bigelow, Brewer, Cock, Campbell, Coupe, Finkbonner, Hovey, Kerns, Maxwell, Maxon, McConaha, Noyes, Sinclair and Winans—15.

Those voting for Mr. Cushman were:

Of the Council—Messrs. Calhoun, Foster, McReavy, O'Bryant and Stewart—5.

Of the House of Representatives—Messrs. Barstow, Cline, Gray, Hinckley, Judson, Moore, Ping, Whetstone and Mr. Speaker—9.

Those voting for Mr. Murphy were:

Of the Council—None.

Of the House of Representatives—Messrs. Gosnell, Lasater, Lloyd and Scott—4.

Whole number of votes cast, 37.

Necessary to a choice, 19.

Of which N. S. Porter received 19 votes, Mr. Cushman 14 votes and Mr. Murphy 4 votes.

Nathan S. Porter having received a majority of all the votes cast was declared duly elected Territorial auditor for the ensuing two years.

The convention next proceeded to the election of a Territorial treasurer.

Mr. Maxon, of the House of Representatives, nominated J. H. Munson.

Mr. Van Bokkelen, of the House of Representatives, nominated A. A. Phillips.

The following is the vote:

Those voting for Mr. Munson were:

Of the Council—Messrs. Huntington, Joslyn, Smith, and the President—4.

Of the House of Representatives—Messrs. Brazee, Bigelow,

Brewer, Cock, Campbell, Coupe, Finkbonner, Hovey, Kerns, Maxwell, Maxon, McConaha, Noyes, Sinclair and Winans—15.

Those voting for Mr. Phillips were:

Of the Council—Messrs. Calhoun and Stewart—2.

Of the House of Representatives—Messrs. Barstow and the Speaker—2.

Those voting for S. D. Howe were:

Of the Council—Messrs. Foster, McReavy and O'Bryant—3.

Of the House of Representatives—Messrs. Cline, Gray, Gosnell, Hinckley, Judson, Lasater, Lloyd, Moore, Ping, Scott and Whetstone—11.

Whole number of votes cast, 37.

Necessary to a choice, 19.

Of which J. H. Munson received 19, Mr. Howe 14, and Mr. Phillips 4.

J. H. Munson was thereupon declared duly elected Territorial treasurer for the ensuing two years.

The convention next proceeded to the election of Territorial librarian.

Mr. Cock, of the House of Representatives, nominated I. V. Mossman.

There being no other nominations for librarian,

On motion of Mr. Van Bokkelen,

Mr. Mossman was declared by acclamation to be elected to said office.

The President thereupon declared said I. V. Mossman to be duly elected Territorial librarian for the ensuing two years.

The convention then proceeded to the election of brigadier general.

Mr. Cline, of the House of Representatives, nominated E. H. McAlmond.

Mr. McConaha, of the House of Representatives, nominated S. W. Hovey.

The following is the vote:

Those voting for Mr. Hovey were:

Of the Council—Messrs. Calhoun, Huntington, Joslyn, Smith and the President—5.

Of the House of Representatives—Messrs. Barstow, Bigelow, Brewer, Cock, Campbell, Coupé, Finkbonner, Kerns, Maxwell, Maxon, McConaha, Noyes, Sinclair, Winans and Mr. Speaker —15.

Those voting for Mr. McAlmond were:

Of the Council—Messrs. Foster, McReavy, O'Bryant and Stewart—4.

Of the House of Representatives — Messrs. Brazee, Cline, Gray, Gosnell, Hinckley, Judson, Lasater, Lloyd, Moore, Ping, Scott and Whetstone—12.

Those voting for Mr. Woods were:

Of the House of Representatives—Mr. Hovey—1.

Whole number of votes cast, 37.

Necessary to a choice, 19.

Mr. Hovey received 20 votes, Mr. McAlmond 16 and Mr. Woods 1.

Mr. Hovey having received a majority of all the votes cast was declared duly elected brigadier general for the ensuing two years.

The convention proceeded to the election of a quartermaster general.

Mr. Van Bokkelen, of the House of Representatives, nominated J. B. Pray.

Mr. Cock, of the House of Representatives, nominated F. M. Sargent.

The following is the vote:

Those voting for Mr. Sargent were:

Of the Council—Messrs. Huntington, Joslyn, Smith and the President—4.

Of the House of Representatives—Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Finkbonner, Gray, Kerns, Maxwell, Maxon. McConaha, Noyes, Sinclair and Winans—16.

Those voting for Mr. Pray were:

Of the Council—Messrs. Calhoun, Foster, McReavy, O'Bryant and Mr. Stewart—5.

Of the House of Representatives — Messrs. Cline, Gosnell, Hovey, Judson, Lasater, Lloyd, Moore, Ping, Scott, Whetstone and the Speaker—11.

Mr. Hinckley, of the House of Representatives, voted for Dixie.

Whole number of votes cast, 37.

Necessary to a choice, 19.

Of which Mr. Sargent received 20 votes, Mr. Pray 16, and Dixie 1.

Mr. F. M. Sargent having received a majority of all the votes cast, was declared duly elected quartermaster general for the ensuing two years.

The convention proceeded to the election of a commissary general.

Mr. Coupe, of the House of Representatives, nominated R. C. Fay.

Mr. Van Bokkelen, of the House of Representatives, nominated J. B. Pray.

The following is the vote:

Those voting for Mr. Fay were:

Of the Council—Messrs. Calhoun, Huntington, Joslyn, Smith and the President—5.

Of the House of Representatives—Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Finkbonner, Hovey, Kerns, Maxwell, Maxon, McConaha, Noyes, Sinclair and Winans—16.

Those voting for Mr. Pray were:

Of the Council—Messrs. Foster, McReavey, O'Bryant and Stewart—4.

Of the House of Representatives—Messrs. Cline, Gray, Gosnell, Judson, Lasater, Lloyd, Moore, Ping, Scott, Whetstone and Mr. Speaker—11.

Mr. Hinckley, of the House of Representatives, voted for Dixie.

Whole number of votes cast, 37.

Necessary to a choice, 19.

Of which Mr. Fay received 21, Mr. Pray 15, Dixie 1.

R. C. Fay having received a majority of all the votes cast was thereupon declared duly elected commissary general for the ensuing two years.

The convention proceeded to the election of adjutant general.

Mr. Smith, of the Council, nominated Wm. Huntington, and moved the candidate be elected by acclamation.

Motion carried.

Thereupon Wm. Huntington was declared elected adjutant general for the ensuing two years.

The convention proceeded to the election of five regents of the university.

Mr. McConaha, of the House of Representatives, placed in nomination

H. A. Atkins, Dexter Horton, J. T. Jordan, A. A. Denny and E. M. Smithers.

On motion of Mr. Lasater,

The said nominees were declared elected by acclamation as regents.

Thereupon the President declared that said H. A. Atkins, Dexter Horton, J. T. Jordan, Arthur A. Denny, and E. M. Smithers were duly elected regents of the Territorial university for the ensuing two years.

On motion of Mr. Lasater,

The joint convention adjourned.

ELWOOD EVANS,
Chief Clerk.

House called to order.

On calling the roll, the following members answered to their names:

Messrs. Brazee, Coupe, Cline, Gray, Gosnell, Hinckley, Judson, Lasater, Lloyd, Moore, Ping, Scott, Whetstone and Mr. Speaker—14.

No quorum being present,

On motion of Mr. Brazee,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, October 31, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Cock, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh and Abbott.

Prayer by the Chaplain.

Journals of Saturday and Monday, together with the journal of the joint convention, read and approved.

On motion of Mr. More,

House adjourned until to-morrow morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, November 1, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Cline, Coupe, Gosnell, Gray, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.

H. B. No. 7—An act to repeal an act entitled an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto.

H. B. No. 38—An act to assign the District Judges to the several Judicial Districts.

H. B. No. 30—An act to amend an act entitled "an act in relation to county auditors."

H. B. 17—An act to provide for the payment of costs in certain cases.

Have had the same under consideration and beg leave to report them back to the House without amendment and recommend their passage.

G. N. McCONAHA,
Chairman.

Mr. McConaha of King, of the committee on Judiciary, made the following report:

MR. SPEAKER—

Your committeee on Judiciary, to whom was referred

H. B. No. 41—An act to recover property removed by high water,

Have had the same under consideration, and have instructed me to report it back to the House and recommend that it do not pass.

GEORGE N. McCONAHA,
Chairman.

Mr. Maxon, from committee on Agriculture, made the following report:

MR. SPEAKER—

The committee on Agriculture to whom was referred

H. B. 48—An act in relation to poisons.

Have had the same under consideration, and have instructed me to report the same back to the House and recommend that it be amended as follows:

"*Provided*, This act shall not apply to persons who put the poison out for the destruction of wild animals."

S. D. MAXON,
Chairman.

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 1—An act regulating suits in certain foreign judgments,

Have had the same under consideration and have instructed me to report the same back and recommend that it be indefinitely postponed.

Respectfully submitted,
GEO. N. McCONAHA,
Chairman.

Mr. Finkbonner, from the committee on Roads and Highways, made the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 55—An act in relation to gates across public highways.

C. B. No. 8—An act to authorize the county commissioners of Klikitat county to allow private parties to erect gates on roads and highways.

Have had the same under consideration and have instructed me to report the same back without amendment and recommend their passage.

C. C. FINKBONNER,
Chairman.

Mr. Winans, of Stevens, introduced

H. B. No. 59—An act to transfer certain Territorial funds into the county treasury of Stevens county.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Winans,

Referred to committee on Ways and Means.

Mr. Brewer, of Thurston, introduced

H. B. No. 60—An act for the relief of I. V. Mossman.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Bigelow,

Roferred to committee on Ways and Means.

Mr. Scott, of Walla Walla, introduced

H. B. No. 61—An act to amend an act entitled an act establishing a common school system for the Territory of Washington.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Campbell,

Referred to committee on Education.

Mr. Hovey, of Kitsap, introduced

H. J. M. No. 3—Memorial praying for re-establishment of thirteenth light house district, and locating the same at Port Townsend.

Memorial read first time.

To the Honorable Light House Board of the United States:

Whereas, there still exists the thirteenth light house district, and it at present being governed by the twelfth district (California) owing to circumstances over which we have no control, and said management working detrimental to the interests of this section of the Pacific coast for the following reasons:

The thirteenth light house district being of such extent and growing importance as to require the personal and constant observation and attention of a local inspector.

Said district covering an extent of coast equal or more extensive than any other district, and it having been created for the necessities and benefit of this portion of this northern coast, and having been once established with the office of inspector located in Oregon, and having been merged into the twelfth district from reasons best known to the honorable light house board, we, feeling the importance of its re-establishment, would most respectfully request your honorable body to reinstate the office of the thirteenth district and establish the same at the port of Port Townsend, W. T., the present port of entry for Puget Sound district.

There are eight lights in Washington Territory, out of the ten in the district, seven of which can be reached from Port Townsend in one day, while from Columbia river it would take three days, and ten days from San Francisco.

The district has a steam revenue cutter attached which could be used to attend on the lights.

At the time of the creation of thirteenth district, it was for the benefit of this northwest coast, (Oregon and Washington Territory) whilst at present California is deriving all the benefit from the same, and as the existence of the district and duties are a necessity, and the same belonging to this Territory, we respectfully ask of your honorable board to take the matter under consideration and grant the prayer herein contained.

And your memorialists as in duty bound, will ever pray.

On motion of Mr. Noyes,

Referred to committee on Federal Relations.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 62—An act authorizing the Territorial auditor to contract for the Rinquest patent shackle.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Judson,

Referred to committee on Ways and Means.

Report of committee on

H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein,

Mr. Kerns moved that the report be adopted.

Motion lost.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 1, 1871.

HON. J. J. H. VAN BOKKELEN,

Speaker House of Representatives of
Legislative Assembly of Washington Territory:

Sir—I have the honor to inform you that I have approved the following entitled bill:

H. B. No. 10—An act to amend an act entitled "an act to

create and regulate the office of sheriff," passed January 19th, 1863.

I am sir,

Very respectfully,

Your obedient servant,

EDWARD S. SALOMON,

Governor of Washington Territory.

Mr. Brewer, of Thurston, introduced

Substitute to House bill number thirty-two.

Bill read first time.

On motion of Mr. Brazee,

The substitute was adopted.

Report of committee on

H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways."

On motion of Mr. Hinkley,

The report of the committee was adopted.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 1, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction in the Council of the following:

C. B. No. 15—An act to regulate the common schools and provide a uniform series of text books in the Territory of Washington.

Also of the division of

C. B. No. 13—An act defining the rights of husband and wife, and in relation to descent and distribution of real and personal estate,

Into two bills respectively entitled as follows:

C. B. No. 16—An act relating to the descent and distribution of real and personal property.

C. B. 17—An act defining the jurisdiction and practice in the probate courts of Washington Territory.

H. M. No. 1—Relative to the free navigation and improvement of Skagit river in Washington Territory.

C. J. R. 6—Relative to visit to Territorial University by a joint committee of the Legislative Assembly.

ELWOOD EVANS,
Chief Clerk.

H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways."

Mr. More moved to strike out the words "his own name," and insert instead the words "in the name of his county," pending which,

On motion of Mr. Maxon,

The House of Representatives took up

C. J. R. No. 6—Relative to visit of university by Joint Committee of the Legislative Assembly.

Resolved by the Council, the House concurring, That there be appointed a committee, consisting of three members of the Council and five of the House, whose duty it shall be to visit Seattle for the purpose of inquiring into the condition of the Territorial university at that place, and make report to their respective Houses.

On motion of Mr. Winans,

Rules were suspended and the resolution read a second time.

On motion of Mr. Bigelow,

The rules were further suspended and the resolution was read third time.

The question being "Shall the resolution pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Finkbonner, Gray; Gosnell, Hovey, Hinckley, Judson,

Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—24.

Absent — Messrs. Ashpaugh, Abbott, Cock, Lasater and Lloyd.

So the resolution passed.

Whereupon the Speaker appointed Messrs. Maxon, Finkbonner, Hovey, Lasater and Cline.

Mr. Campbell moved to adjourn.

Motion lost.

Report of committee on

H. B. No. 47—An act in relation to dogs.

On motion of Mr. Cock,

The report of the committee was adopted.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 1, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. No. 12—An act to regulate marriage.

Also the appointment of Messrs. Smith, Joslyn and Foster on the Select Joint committee on the part of the Council under

C. J. R. No. 6—Creating Joint Select committee to visit Territorial university.

ELWOOD EVANS,
Chief Clerk.

On the final passage of the bill the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Campbell, Coupe, Hinkley, Judson, Maxwell, Maxon, McConaha, Noyes, Sinclair, Winans and Mr. Speaker—14.

Those voting in the negative were

Messrs. Brewer, Cline, Finkbonner, Gray, Gosnell, Hovey, Kerns, More, Ping, Scott and Whetstone—11.

So the bill passed and the title agreed to.

On motion of Mr. Hinkley,

H. B. No. 40—An act in relation to the sheriffs of Pacific, Yakima, Kitsap, Skamania, Whatcom, Snohomish, Clalm and Stevens counties,

Was taken from the table.

On motion of Mr. Gosnell,

The word "Lewis" was stricken from the bill.

On motion of Mr. Cline,

The word "Clalm" was inserted in the bill before the word "counties."

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Brewer, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Maxwell, Maxon, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—23.

Negative—Mr. Moore.

Absent—Messrs. Ashpaugh, Abbott, Cock, Campbell, Lasater and Lloyd.

Bill passed and title agreed to.

Report of committee on

H. B. No. 55—An act in relation to gates across public highways.

On motion of Mr. Cock,

The report of the committee was adopted.

On motion of Mr. Kerns,

The word "road," line two, section one, was stricken out of the bill.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Brewer, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Maxon, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—22.

Those voting in the negative were

Messrs. More and McConaha—2.

Absent—Messrs. Ashpaugh, Abbott Cock, Campbell, Lasater and Lloyd.

Bill passed and title agreed to.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 1, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives of the passage of

H. J. R. No. 4—Relative to payment of Rev. J. F. Devore for services as chaplain rendered at third session of Washington Territory legislature.

H. J. M. No. 2—Praying for an appropriation for constructing a road from Seattle to Bellingham bay.

ELWOOD EVANS,
Chief Clerk.

Report of committee on

H. B. No. 15—An act entitled an act to repeal an act entitled "an act to regulate the measurement of lumber in the log and fixing compensation therefor."

On motion of Mr. Coupe,

The report of the committee was adopted.

On motion of Mr. McConaha,

H. B. 15—An act to regulate the measurement of lumber in the log.

Laid on the table.

Report of committee on

H. B. No. 38—An act to assign the district judges to the several judicial districts.

On motion of Mr. Cline,

Report of committee was adopted.

The question being shall

H. B. No. 38—An act to assign the District Judges to the several Judicial Districts,

"Now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Brazee, Barstow, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Maxwell, Maxon, Moore, McConaha, Noyes, Scott, Sinclair, Winans and Mr. Speaker—17.

Those voting in the negative were

Messrs. Bigelow, Brewer, Hinkley, Judson, Kerns, Ping and Whetstone—7.

Absent—Messrs. Ashpaugh, Abbott, Cock, Campbell, Lasater and Lloyd.

Bill passed and title agreed to.

Report of committee on

H. B. No. 30—An act to amend an act entitled "an act in relation to county auditors."

On motion of Mr. Lasater,

The report of the committee was adopted.

On motion of Mr. Barstow,

It was amended by striking out lines 10 and 11 after the word "county," in section 1.

On motion of Mr. Barstow,

Bill was further amended by striking out lines 7 and 8.

On motion of Mr. Winans,

Bill laid on the table until after the recess.

Report of committee on

H. B. No. 1—An act regulating suits in certain foreign judgments.

On motion of Mr. Lasater,

The report of the committee was adopted.

Report of committee on

H. B. 17—An act to provide for the payment of costs in certain cases.

On motion of Mr. Bigelow,

The report of the committee was adopted.

H. B. No. 17—An act to amend an act entitled "an act to establish the amount and provide for the payment of costs in certain cases."

On motion of Mr. Brazee,

Now was assigned as the time for the third reading of the bill.

Bill read a third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone—24.

Negative—Mr. Speaker.

Absent—Messrs. Ashpaugh, Abbott, Cock, Lasater and Lloyd.

Report of committee on

Substitute to H. B. No. 6—An act to prevent the building of fish traps in fresh water streams in the Territory.

On motion of Mr. Brazee,

The report of the committee was adopted.

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.

On motion of Mr. Bigelow,

Now assigned as time for third reading.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Messrs. Brazee, Barstow, Bigelow, Brewer, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone and Mr. Speaker—23.

Absent—Messrs. Ashpaugh, Abbott, Cock, Campbell, Lloyd and Lasater—6.

Bill passed and title agreed to.

Report of committee on

H. B. 48—An act in relation to poisons.

On motion of Mr. Bigelow,

The report of the committee was adopted.

On motion of Mr. Campbell,

Now was assigned as the time for the third reading of the bill.

Bill read a third time.

The question being "Shall the bill now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Brazee, Barstow, Bigelow, Brewer, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—23.

Negative—Mr. Cline.

Absent—Messrs. Ashpaugh, Abbott, Cock, Campbell, Lasater and Lloyd.

So the bill passed and the title agreed to.

Report of committee on

H. B. No. 41—An act to recover property removed by high water.

On motion of Mr. Lasater,

The report of the committee was adopted.

Mr. Kerns moved that the address of Miss Susan B. Anthony be printed.

Motion lost.

Report of committee on Ways and Means, on Treasurer's report, was read.

On motion of Mr. Cline,

Report of committee was adopted.

Report of committee on

C. B. No. 8—An act to authorize the county commissioners of Klikitat county to allow private parties to erect gates on roads and highways.

On motion of Mr. Cock,

The report of the committee was adopted.

On motion of Mr. Judson,

C. B. No. 8—An act to authorize the county commissioners of Klikitat county to allow private parties to place gates upon roads and highways,

Was amended by providing that no damages should be recovered unless the gates were kept in thorough repair.

On motion of Mr. Sinclair,

The words "Clalm, Pacific, Snohomish, Clarke and Skamania" were ordered inserted after the word "Klikitat."

On motion of Mr. More,

Section three was struck out.

Mr. Kerns moved that bill be indefinitely postponed.

Amended by Mr. Brazee that the names of all counties except Klickitat, be stricken out.

Question recurring on the original motion, the same was duly carried.

H. B. No. 13—An act to sub-divide the judicial districts of Washington Territory, and provide places for holding courts therein,

Returned from the Council amended with request that the House concur therein.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 12—An act to divide the Territory into judicial districts.

H. B. No. 27—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1867.

H. B. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

C. J. R. No. 1—Relative to waiting upon the Governor.

C. J. R. No. 2—As to the adoption of joint rules and orders,

C. J. R. No. 3—Relative to the condition of the insane asylum and Territorial penitentiary.

Respectfully submitted,

WM. P. WINANS,

Chairman.

The Speaker announced the following as lying on his table:

H. J. R. 4—Relative to payment of Rev. J. F. Devore for services as chaplain at third session of Legislative Assembly of Washington Territory.

H. M. No. 2—Asking an appropriation for a road from Seattle to Bellingham Bay.

H. M. No. 1—Relative to the free navigation and improvement of Skagit river in Washington Territory.

On motion of Mr. Brazee,

Referred to committee on Enrolled Bills.

The Speaker gave notice that he was about to sign the following:

H. B. No. 12—An act to divide the Territory of Washington into judicial districts.

H. B 27—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1867.

H. B. No. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

C. J. No. 1—As to waiting upon the Governor.

C. J. R. No. 2—As to adoption of joint rules and orders.

C. J. R. No. 3—Relative to the condition of the Territorial insane asylum and Territorial penitentiary.

On motion of Mr. Lasater,

House adjourned until Nov. 11.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, November 11, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Barstow, Brazee, Bigelow, Cock, Coupe, Cline, Gosnell, Gray, Hovey, Hinkley, Judson, Lloyd, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Brewer, Campbell, Kerns, Lasater and Maxwell.

Prayer by the Chaplain.

Journal of Wednesday, Nov. 1st, read and approved.

Mr. Cline presented a petition from citizens of Clalm county, relative to licenses.

On motion of Mr. Cline,

Referred to committee on Education.

Mr. Bigelow, from the committee on Federal Relations, made the following report:

MR. SPEAKER—

Your committee on Federal Relations, to whom was referred

H. J. M. No. 3—Memorial praying for re-establishment of thirteenth light house district, and locating the same at Port Townsend,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

D. R. BIGELOW,
Chairman.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

The petitions asking that liquor dealers be made responsible, have had the same under consideration, and have concluded to report the following bill and recommend its passage:

H. B. No. 67—An act making liquor sellers responsible for damages.

D. R. BIGELOW,
Chairman.

Special committee of delegation from Walla Walla, made the following report:

MR. SPEAKER—

The House delegation from Walla Walla county, to whom was referred

C. B. No. 5—An act to extend and define the corporate limits of the city of Walla Walla,

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend its passage.

J. H. LASATER,
Chairman.

Mr. Judson, of Pierce and Mason, introduced

H. R. No. 5—Requiring the Governor and Territorial Auditor to furnish for the House all the bids and papers received by them for keeping the insane at Steilacoom.

Resolution read first time.

On motion of Mr. Winans,

The rules were suspended and the resolution was read second time.

On motion of Mr. More,

Now was assigned as the time for the third reading of the resolution.

Resolution read third time.

The question being "Shall the resolution pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Coupe, Cline, Cock, Gray, Gosnell, Hovey, Hinckley, Judson, Lloyd, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—23.

Absent—Messrs. Ashpaugh, Brewer, Campbell, Finkbonner, Kerns, Lasater and Maxwell.

Resolution adopted.

Mr. Gosnell, of Lewis, introduced

H. B. No. 63—An act to amend an act creating the office of Territorial treasurer.

Bill read first time.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 64—An act in relation to Territorial treasurer.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Bigelow,

Roferred to committee on Ways and Means.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 65—An act in relation to Territorial auditor.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Barstow,

Referred to committee on Ways and Means.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general."

Bill read first time.

No objections being made, the bill was read second time by title, and

On motion of Mr. Lasater,

Referred to committee on Military Affairs.

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

On motion of Mr. Cock,

Referred to committee on Elections.

H. B. No. 57—An act to amend an act entitled "an act to incorporate the town of Seattle."

Bill read third time.

On the final passage of the bill the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Brazee, Barstow, Bigelow, Cock, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Judson, Lloyd, Maxon, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—22.

Absent—Messrs. Ashpaugh, Brewer, Campbell, Finkbonner, Kerns, Lasater and Maxwell.

Bill passed and title agreed to.

H. B. No. 67—An act to make liquor sellers responsible for damages.

On motion of Mr. Cock,

The bill was referred to the committee on Education.

Report of committee on

C. B. No. 5—An act to extend and define the corporate limits of the city of Walla Walla.

On motion of Mr. Scott,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Cock, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Judson, Lloyd, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—23.

Absent—Messrs. Ashpaugh, Brewer, Campbell, Finkbonner, Kerns, Lasater and Maxwell.

Bill passed and title agreed to.

On motion of Mr. McConaha,

The vote indefinitely postponing

Substitute to C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county, W. T., to erect gates on certain public roads,

Was reconsidered and

On motion of Mr. Winans,

Referred to committee on Counties.

H. J. M. No. 3—Relative to thirteenth light house district.

Memorial read third time.

The question being "Shall the memorial pass?" the ayes and noes were demanded with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Cock, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Judson, Lloyd, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—33.

Absent—Messrs. Ashpaugh, Brewer, Campbell, Finkbonner, Kerns, Lasater and Maxwell.

Memorial passed.

Mr. Bigelow, of Thurston, introduced

H. B. No. 68—An act for the relief of Hill Harmon.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Bigelow,

Referred to committee on Ways and Means.

On motion of Mr. Lasater,

Adjourned until Monday morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, November 13, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Campbell, Cline, Cock, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh and Brewer.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Coupe, of Island, introduced

H. J. M. No. 7—Praying for mail service from Port Townsend to Coupeville, *via* Ebey's landing.

Memorial read first time.

On motion of Mr. Campbell,

Referred to committee on Federal Relations.

To the Honorable Postmaster General of the United States:

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent that under contract No. 15,412, from Seattle to Whatcom, it takes one week for a letter to go from Port Gamble, Port Ludlow and Port Townsend, to Coupeville.

Your memorialists would therefore respectfully pray that a semi-weekly mail from Port Townsend to Coupeville, *via* Ebey's landing, be established, connecting with the mail between Olympia and Port Townsend, for the following reasons:

First. There is a daily communication between Port Townsend, Port Ludlow, Port Gamble and Seabeck.

Second. The distance between Port Townsend and Ebey's landing is seven miles by water, from Ebey's landing to Coupeville, two and one-half miles by land, making the distance nine and one-half miles.

Your memorialists would further state that by the route asked for, some five hundred persons would be accommodated with more speedy and certain mail facilities. We would therefore respectfully pray that a mail be established between the above mentioned places, and that proposals for carrying the mail be advertised for said service, to commence on the first day of July, 1872.

And as in duty bound, we will ever pray.

Mr. Lloyd, of Walla Walla, introduced

H. J. M. No. 6—Asking to confirm titles to land made by the Common Council of the city of Walla Walla.

Memorial read first time.

On motion of Mr. Lasater,

Referred to special committee consisting of delegation from Walla Walla county.

Mr. Noyes, chairman of the committee on Elections, made the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

C. J. NOYES,
Chairman.

Mr. Cock, chairman of committee on Military Affairs, made the following report:

MR. SPEAKER—

Your committee on Military Affairs, to whom was referred

H. M. No. 4—Praying for the retention of the garrison at Fort Colville,

Have had the same under consideration, and report it back without amendment and recommend its passage.

H. D. COCK,
Chairman.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 69—An act to repeal an act entitled an act defining the rights of husband and wife.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Coupe,

Referred to committee on Judiciary.

Mr. Abbott, of Clarke, introduced

H. B. No. 70—An act to change the name of Almanson Morey to Almanson Lovelace.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Lasater,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 12, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

SIR: In compliance with a resolution of the House of Representatives, passed Nov. 11, 1871, I have the honor to furnish you herewith, the bids received at this office for keeping and clothing the insane.

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor of Washington Territory.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 71—An act to amend an act entitled an act authoring the settlement of estates of persons dying intestate without administration.

Bill read first time.

Mr. Bigelow, of Thurston, introduced

H. B. No. 72—An act for the relief of the sheriff of Thurston county.

Bill read first time.

No objections being made, bill was read second time now by title.

On motion of Mr. Bigelow,

The bill was referred to committee on Ways and Means.

Mr. Hovey, of Kitsap, introduced

H. B. No. 73—An act authorizing the county commissioners of Kitsap county to transcribe the records of said county.

Bill read first time.

No objections being made, read second time now, by title, and

On motion of Mr. Noyes,

Referred to committee on Judiciary.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 74—An act empowering the Governor to suspend or remove Territorial officers and fill vacancies in certain cases.

Bill read first time.

Mr. Cock, of Yakima, introduced

H. B. No. 75—An act for the relief of R. H. Hewitt."

Bill read first time.

No objection being made, bill read second time, by title.

On motion of Mr. Kerns,

Referred to committee on Claims.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 76—An act in relation to crimes and punishments.

Bill read first time.

No objection being made, bill read a second time, by title.

On motion of Mr. Judson,

Referred to Committee on Judiciary.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 77—An act authorizing Frank Clark, of Pierce county, to dispose of property by lottery or raffle within a certain time.

Mr. Campbell moved that bill be referred to committee on Education.

Amendment that it be referred to committee on Judiciary.

Amendment adopted.

Mr. Bigelow, of Thurston, introduced

H. B. No. 78—An act to incorporate the young men's Christian association of Olympia.

Bill read first time.

No objections being made, the bill was read second time by title.

Mr. More moved that the bill be referred to the committee on Judiciary.

Mr. Cock moved to amend by referring to committee on Education.

Amendment adopted.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 79—An act to make perfect titles in Washington Territory.

Bill read first time.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 80—An act to confirm titles to real estate in the city of Walla Walla.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Lasater,

Referred to committee on Judiciary.

Mr. Hovey, of Kitsap, introduced

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap, Snohomish and Jefferson.

Bill read first time.

Mr. Sinclair, of Snohomish, introduced

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Winans,

Referred to delegation from Snohomish county.

On motion of Mr. Abbott,

The vote on House Bill No. 70 was reconsidered, and

On motion of Mr. Maxon.

Was referred to committee on Judiciary.

Mr. Hinkley, of King, introduced

H. B. No. 83—An act to dissolve the bonds of matrimony heretofore existing between William P. Smith and Eliza, his wife.

Bill read first time.

No objections being made, bill read a second time by title.

On motion of Mr. Cock,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Brazee, Cock, Cline, Finkbonner, Gray, Hinkley, Hovey, Judson, Lasater, Lloyd, Maxwell, Maxon, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone and Mr. Speaker—19.

Those voting in the negative were

Messrs. Abbott, Barstow, Bigelow, Campbell, Coupe, Gosnell, Kerns—8.

Absent—Messrs. Ashpaugh, Brewer and Winans.

Bill passed and title agreed to.

On motion of Mr. Hinkley,

The clerk was instructed to report the passage of

H. B. No. 83—An act to dissolve the bonds of matrimony existing between Wm. P. Smith and Eliza, his wife, to the Council forthwith.

By request of the Speaker, Mr. Bigelow, of Thurston, took the chair.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 84—An act to amend an act entitled "an act t

incorporate the city of Port Townsend, Jefferson county, W. T.," passed January 16th, 1860, and all subsequent acts amendatory thereto.

Bill read first time.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 85—An act to make valid imperfect conveyances to land.

Bill read first time.

On motion of Mr. Lasater,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Lasater,

Referred to committee on Judiciary.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 1, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the appointment of a committee of three, consisting of Messrs. Calhoun, Smith and O'Bryant, to confer with a committee on the part of the House of Representatives, in relation to non-concurrence by the House to

H. B. No. 13—An act to sub-divide the judicial districts of the Territory of Washington and providing places for holding courts therein,

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. Winans,

The committee on Judiciary was appointed a committee to confer with the Council Select committee on

H. B. No. 13—An act to sub-divide the judicial districts of Washington Territory, and provide places for holding courts therein,

On motion of Mr. Van Bokkelen,

The clerk was instructed to report forthwith to the Council such action by the House.

Mr. Van Bokkelen moved that the House adjourn until 10 o'clock to-morrow.

Amended by Mr. Cock that the House adjourn until two o'clock P. M.

Amendment adopted.

Question recurring on the original motion, the same was duly carried.

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Monday, November 13, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Barstow, Brazee, Bigelow, Coupe, Cline, Campbell, Finkbonner, Gosnell, Gray, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxon, Maxwell, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Brewer and Cock.

On motion of Mr. Lasater,

The committee on Federal Relations and Memorials was increased by adding Mr. Whetstone thereto.

Mr. More, of Pierce, introduced

H. B. No. 86—An act relative to grand and petit jurors, and prescribing the manner for drawing the same for the counties of Pierce, Pacific and Yakima.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Barstow,

Referred to committee on Judiciary.

Mr. Cline, of Clalm, introduced

H. B. No. 87—An act entitled "an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound and all American waters pertaining thereto.

Bill read first time.

H. B. No. 63—An act to amend an act creating the office of Territorial treasurer.

Bill read second time.

On motion of Mr. Judson,

Roferred to committee on Ways and Means.

Report of committee on

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

On motion of Mr. Hinkley,

Report of committee was adopted.

Mr. Lasater moved to amend line 2, section three, by striking out the words "First Monday in June, 1873," after the word "election," and insert the words "within sixty days after the date of their election."

Mr. Cock moved that the bill be referred to the committee on Judiciary.

Amended by Mr. Winans that the bill be referred to special

committee of nine, three from each Judicial District of the Territory.

Amendment lost.

Original motion carried.

Report of committee on

H. M. No. 4—Praying for the retention of the garrison at Fort Colville.

On motion of Mr. Winans,

The report of the committee was adopted.

The question being "Shall the memorial pass?" the ayes and noes were demanded with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Gock, Campbell, Coupe, Cline, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone and Mr. Speaker—27.

Absent—Messrs. Ashpaugh, Brewer and Finkbonner.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

The petition of citizens of Clalm county asking a special law regarding the licenses of said county, beg leave to report the following entitled bill and recommend its passage:

H. B. No. 88—An act in relation to licenses in the county of Clalm.

D. R. BIGELOW,
Chairman.

On motion of Mr. Cline,

The report of the committee was adopted.

H. B. No. 88—An act in relation to licenses in the county of Clalm.

On motion of Mr. Bigelow,

Bill read first time.

No objections being made, bill was read second time now by title.

On motion of Mr. Campbell,

Now assigned as time for third reading.

Bill read third time.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

C. B. No. 12—An act to regulate marriage.

Bill read first time.

No objections being made, bill read a second time by title.

On motion of Mr. Noyes,

Was referred to committee on Judiciary.

On motion of Mr. Sinclair,

H. B. No. 30—An act to amend an act entitled "an act in relation to county auditors,"

Was taken from the table.

Mr. Winans offered the following amendment:

Insert in line ten, section one, "published in any newspaper having the largest circulation in the county, printed in the Territory."

Motion carried.

On motion of Mr. Lasater,

H. B. No. 30, as amended, was indefinitely postponed.

On motion of Mr. Judson,

The communication from the Governor, relating to the insane asylum, was

Referred to committee on Ways and Means.

On motion of Mr. Lasater,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,

Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, November 14, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cline, Cock, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh and Lasater.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 60—An act for the relief of I. V. Mossman.

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

Respectfully submitted,

J. W. BRAZEE,
Chairman.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 19—An act to regulate the times of holding the supreme court and the several district courts of Washington Territory.

H. J. R. 4—Relative to payment of Rev. J. F. Devore for services as chaplain at third session of Legislative Assembly of Washington Territory.

H. M. No. 2—Asking an appropriation for a road from Seattle to Bellingham Bay.

H. M. No. 1—Relative to the free navigation and improvement of Skagit river in Washington Territory.

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Maxon, from committee on Agriculture, made the following report:

MR. SPEAKER—

The committee on Agriculture to whom was referred

C. B. No. 14—An act for the preservation of certain game birds.

Have had the same under consideration, and have instructed me to report the same back to the House and recommend that it be amended as follows:

"*Provided,* This act shall not be construed as to prevent the owners of said game birds from killing and disposing of the same."

S. D. MAXON,

Chairman.

Mr. Sinclair, from Select committee, made the following report:

MR. SPEAKER—

Your committee to whom was referred

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

W. B. SINCLAIR,

Chairman.

Mr. Bigelow, of Thurston, introduced

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

Bill read first time.

Mr. Gray, of Cowlitz, introduced

H. B. No. 90—An act to make valid the location of the Territorial road from Boisfort prairie, in Lewis county, intersecting the military road at a point above Henry Jackson's in Cowlitz county.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Cline,

H. B. No. 90—An act to locate a Territorial road from the mouth of Mill creek, on the Willopa river, Pacific county, to intersect with the military road running from Monticello to Olympia,

Referred to committee on Roads and Highways.

Mr. More, of Pierce, introduced

H. B. No. 91—An act in relation to stock marks.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Hinkley,

Referred to committee on Agriculture.

Mr. Coupe, of Island, introduced

H. J. R. No. 5—Relative to introduction of new business in the House.

Resolution read first time.

Mr. Sinclair, of Snohomish, introduced

H. B. No. 92—An act relating to the county auditors of Island and Snohomish counties.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Barstow,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Kerns, Judson, Lloyd, Maxon, More, Maxwell, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—28.

Absent—Messrs. Ashpaugh and Lasater.

Bill passed and title agreed to.

Mr. McConaha of King, of the committee on Judiciary, made the following report:

MR. SPEAKER—

Your committeee on Judiciary, to whom was referred

Substitute for H. B. No. 26—An act entitled an act to prevent certain animals running at large in certain counties,

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend its passage.

Respectfully submitted,
GEO. N. McCONAHA,
Chairman.

H. B. No. 74—An act empowering the Governor to suspend or remove Territorial officers and fill vacancies in certain cases.

Bill read second time.

On motion of Mr. Bigelow,

Referred to committee on Ways and Means.

On motion of Mr. Winans,

H. B. No. 46—An act to amend an act entitled "an act in re-

lation to roads, ferries, bridges and travel on public highways,"

Was taken from the table.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 14, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H. B. No. 83—An act to dissolve the bonds of matrimony heretofore existing between William P. Smith and Eliza, his wife.

ELWOOD EVANS,
Chief Clerk.

Mr. Abbott moved to amend

H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways,"

By striking out all after the word "road," line five, and all of line six, first section, also the words "and notices," line nine.

Amendment lost.

On motion of Mr. McConaha,

Section 15, as amended by committee on Roads and Highways, was adopted.

On motion of Mr. Cock,

All of the report of the committee on Roads and Highways amendatory to section 19, was adopted.

On motion of Mr. Campbell,

The words "and personal" were inserted in line 47 after the word "seal."

On motion of Mr. Judson,

The words "and issue his warrant for the collection thereof," was ordered inserted in line 47, after the word "therein."

On motion of Mr. More,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Barstow, Bigelow, Brewer, Cock, Coupe, Campbell, Finkbonner, Gray, Gosnell, Hovey, Judson, Kerns, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Sinclair, Winans, Whetstone and Mr. Speaker—22.

Those voting in the negative were

Messrs. Abbott, Brazee, Cline, Hinkley, Ping, Scott—6.

Absent—Messrs. Ashpaugh and Lasater.

So the bill passed and the title agreed to.

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 50—An act relating to costs incurred in criminal prosecutions, for offences committed on Islands held under joint occupation of the United States and Great Britain,.

Report the same back and recommend the following amendments:

That section second be stricken out and section third be amended as follows:

SEC. 3. This act shall take effect and be in force from and after its passage, and continue in force until said joint military occupation shall cease, at which time this act shall be void.

GEORGE N. McCONAHA,

Chairman.

Mr. Cock, chairman of committee on Military Affairs, made the following report:

MR. SPEAKER—

Your committee on Military Affairs, to whom was referred

H. B. No. 54—An act concerning fences.

Have had the same under consideration, and report it back without amendment and recommend its passage.

H. D. COCK,
Chairman.

On motion of Mr. Noyes,

H. B. No. 50—An act relating to costs incurred in criminal prosecutions, for offences committed on islands held under joint occupation of the United States and Great Britain,

The report of the committee was adopted.

On motion of Mr. Coupe,

Referred to Committee on Claims.

Report of committee on

C. B. No. 14—An act for the preservation of certain game birds.

On motion of Mr. Brazee,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Brewer, Campbell, Finkbonner, Gray, Gosnell, Hovey, Kerns, Maxwell, Maxon, More, McConaha and Mr. Speaker—15.

Those voting in the negative were

Messrs. Brazee, Coupe, Cline, Cock, Hinckley, Judson, Noyes, Ping, Scott, Sinclair, Winans, Whetstone.

Absent—Messrs. Ashpaugh, Lloyd and Lasater.

Bill passed and title agreed to.

On motion of Mr. Bigelow,

The title was amended to read "An act for the protection of quails."

Report of committee on

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss.

On motion of Mr. Brazee,

The report of the committee was adopted.

On motion of Mr. Abbott,

Now was assigned as the time for the third reading of the bill.

Bill read a third time.

The question being "Shall the bill now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Brazee, Brewer, Campbell, Coupe, Cock, Cline, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Judson, Kerns, Maxwell, Maxon, McConaha, More, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—27.

Absent—Messrs. Ashpaugh, Lasater and Lloyd.

Bill passed and title agreed to.

Report of committee on

H. B. No. 60—An act for the relief of I. V. Mossman.

On motion of Mr. Bigelow,

The report of the committee was adopted.

On the final passage of the bill the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Coupe, Cline, Cock, Campbell, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Judson, Kerns, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—27.

Absent—Messrs. Ashpaugh, Lasater and Lloyd.

So the bill passed and the title agreed to.

Report of committee on

H. B. No. 54—An act concerning fences.

On motion of Mr. Kerns,

The report of the committee was adopted.

Mr. Bigelow offered the following amendment to the bill:

"SEC. 13. In case of action for damages under this act, it shall be sufficient to prove that the fence was lawful where the breach was made."

Amendment adopted.

The question recurring on the passage of bill as amended, bill unanimously passed and title was agreed to.

Report of committee on

Substitute for H. B. No. 26—An act to prevent stud horses, stud mules, jackasses or ridglings from running at large.

On motion of Mr. Lasater,

The report of the committee was adopted.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Lasater and Lloyd.

Bill passed and title agreed to.

H. B. No. 83—An act to dissolve the bonds of matrimony existing between Wm. P. Smith and Eliza, his wife.

On motion of Mr. Brazee,

Referred to committee on Enrolled Bills.

The Speaker gave notice that he was about to sign the following:

H. B. No. 24—An act to fix the time and place of holding the supreme and several district courts of Washington Territory.

H. J. M. No. 2—Praying for an appropriation for constructing a road from Seattle to Bellingham bay.

H. J. R. No. 4—Relative to payment of Rev. J. F. Devore for services as chaplain rendered at third session of Washington Territory legislature.

Mr. Brazee, of Skamania, introduced

H. R. No. 5—That no member shall speak more than ten minutes upon any one subject.

Resolution read first time.

On motion of Mr. Scott,

The rules were suspended, resolution read a second time by title.

On motion of Mr. Maxon.

The rules were further suspended and the resolution was read third time.

The question being "Shall the resolution pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Cline, Finkbonner, Gray, Hovey, Hinkley, Judson, Kerns, Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—26.

Absent—Messrs. Ashpaugh, Lasater and Lloyd.

So the resolution passed.

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 3—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases,"

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

On motion of Mr. Cline,

House adjourned until to-morrow morning at 10 o'clock.

W. S. BAXTER,

Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, November 15, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxon, Maxwell, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Journal of yesterday read and approved.

Prayer by the Chaplain.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
November 14, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of the following:

C. B. No. 20—An act for the relief of Al. Pettygrove.

C. B. No. 21—An act to amend an act entitled an act to provide for the election of county commissioners and defining their duties.

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla.

C. M. No. 1—Praying Congress to appropriate $60,000 for removing obstructions from the upper Columbia river between Celilo and Wallula.

Also, of the indefinite postponement by the Council of

H. B. 44—An act prescribing the manner of locating and changing county seats.

Also the passage in the Council of the following:

H. B. No. 4—An act prescribing the penalty for the discharge of ballast into the navigable waters of this Territory.

H. B. No. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county.

H. B. No. 38—An act in relation to licenses in the county of Clalm.

H. J. M. No. 3—Memorial praying for re-establishment of thirteenth light house district, and locating the same at Port Townsend.

Also that the President has signed the following:

H. B. No. 12—An act to divide the Territory into judicial districts.

H. B. No. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

H. J. R. No. 1—As to waiting upon Governor.

H. J. R. No. 2—As to the adoption of the joint rules and orders.

C. J. R. No. 3—Relative to the condition of the Territorial insane asylum and Territorial penitentiary.

ELWOOD EVANS,
Chief Clerk.

Mr. Bigelow, of Thurston, introduced

H. J. M. No. 8—Relative to tide lands of Olympia.

Memorial read first time.

On motion of Mr. Lasater,

Referred to committee on Federal Relations.

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

The memorial of the board of trustees of the town of Olympia, Washington Territory, respectfully represents that said town of Olympia is situated on Budd's Inlet of Puget Sound, in township No. 18, north of range two west, and is a body corporate under the laws of Washington Territory, with all the rights, privileges and duties usually pertaining to town organizations; that fronting the said town of Olympia, but within the corporate limits thereof, and beyond the meander line of the United States

land survey, are situate a series of tide flats or overflowed lands, intersected by a narrow, shoal and tortuous channel formed by Deschute river, at low tide; that said tide flats are completely bare at low water; that they extend from the extreme southernmost point of Budd's Inlet to about one mile north of the extreme point of the mean line of the town plat of the town of Olympia, and contain between one thousand three hundred and one thousand four hundred acres; and the average rise and fall of tides on said flats is nine feet two inches, (Coast pilot, 1869, page 243.) That said tide flats are an impediment to navigation, (ships at low tide not being able to get within one mile of the nearest wharf) and are of no value to the Government, not being saleable as agricultural lands, the tides covering the whole of said flats twice in twenty-four hours.

Your memorialists therefore pray your honorable body to pass an act granting to the said town of Olympia, through its board of trustees and their successors in office, the tide flats in township No. 18, north of range No. two west, comprising the southern extremity of Budd's Inlet, designated within the following described limits, as exhibited by the government surveys, that is to say: Beginning at a point on the eastern shore of Budd's Inlet, where the section line between sections two and eleven intersect the meander shore line of said Inlet; thence southerly, following the meander of said Inlet to near the mouth of Deschute river; thence northerly following the meander of the western shore of said Inlet to the section line dividing sections three and ten; thence east to the place of beginning, containing thirteen hundred and thirty-seven acres; with the express condition, however, that a direct and navigable channel, at least one hundred yards in width, shall be kept free and open forever, to and from the mouth of Deschute's river to the said section line constituting the northern boundary of the grant; that the proceeds of the sale of the said flats shall be applied by the board of trustees or their legal successors, to the improvement of the navigation of the harbor of Olympia, to the building of a railroad,

or to the payment of the indebtedness of said town of Olympia, as may be deemed most expedient.

Mr. Coupe, of Island, introduced

H. J. M. No. 9—Relative to light houses in Washington Territory.

Memorial read first time.

On motion of Mr. Barstow,

Referred to committee on Federal Relations and Memorials.

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislative Assembly of the Territory of Washington, humbly showeth that the commerce of this Territory will be greatly facilitated by the erection and maintenance of a light house on the following headlands, viz:

On Foul Weather Bluff and Point-no-Point, on the western shore of Admiralty Inlet.

On Alki Point, on the eastern shore of Admiralty Inlet.

On Point Defiance, at the entrance of Puget Sound.

On south end of Cyprus Island, Bellingham Bay passage.

And as in duty bound, your memorialists will ever pray.

Mr. Finkbonner, of Whatcom, introduced

H. J. M. No. 10—Relative to mail service from Seattle to Bellingham Bay.

Memorial read first time by title.

On motion of Mr. Judson,

Referred to Committee on Commerce.

To the Honorable Postmaster General of the United States:

Your memorialists, the Legislative Assembly of Washington Territory, would respectfully represent that the mail facilities now afforded from Seattle to Bellingham Bay and intermediate ports, is inadequate to the business interests of the population along said mail line.

Since the letting of the contract at the last letting for said route, the population has at least doubled its proportions and is

still increasing at a rapid rate, and large accessions have also been made to the population of Whatcom county. At Semiahmo and Birch Bay there is at present no mail facilities, the nearest post office being at Sehome, a distance of over twenty-five miles from said settlements.

We would respectfully pray your honor to increase the mail facilities from Seattle to Bellingham Bay to semi-weekly service, and authorize weekly service to Semiahmo Bay by steamer.

Mr. Gosnell, of Lewis, introduced

Petition from the citizens of Lewis county, asking for an appropriation to aid in constructing a bridge across the Chehalis river.

On motion of Mr. Cock,

Roferred to committee on Ways and Means.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. B. No. 8—An act relative to the sale of spirituous, malt or fermented liquors or wines,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage.

D. R. BIGELOW,
Chairman.

Mr. McConaha of King, from committee on Judiciary, made the following report:

MR. SPEAKER—

The committee on Judiciary, to whom was referred

H. B. No. 69—An act to repeal an act entitled an act defining the rights of husband and wife,

Have had the same under consideration, and have instructed me to report it back to the House and recommend that it do not pass.

G. N. McCONAHA,
Chairman.

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 79—An act to make perfect titles in Washington Territory,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

Respectfully submitted,

G. N. McCONAHA,

Chairman.

Mr. McConaha of King, of the committee on Judiciary, made the following report:

MR. SPEAKER—

Your committeee on Judiciary, to whom was referred

H. B. No. 76—An act in relation to crimes and punishments,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend that it be amended as follows:

Strike out of lines five and six, section one, the following words: "Be imprisoned in the county jail not exceeding one year nor less than one month, and."

Respectfully submitted,

GEO. N. McCONAHA,

Chairman.

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 73—An act to authorize the county commissioners of Kitsap county to transcribe the records of said county,

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

GEORGE N. McCONAHA,

Chairman.

Mr. Sinclair, of Snohomish, introduced

H. B. No. 93—An act to change the name of Mary E. Fowler to that of Mary E. Phelan.

Bill read first time.

No objections being made, bill was read second time now by title.

On motion of Mr. Sinclair,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

On the final passage of the bill the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Coupe, Cline, Cock, Campbell, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Maxwell, Maxon, Moore, McConaha, Noyes, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—24.

Those voting in the negative were

Messrs. Judson, Kerns, Lloyd and Ping.

Absent—Messrs. Ashpaugh and Lasater.

So the bill passed and the title agreed to.

Mr. Campbell, of Thurston and Chehalis, introduced

H. B. No. 94—An act conferring certain powers on the board of commissioners of Chehalis county, W. T.

Bill read first time.

On motion of Mr. Cock,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Cock,

Referred to committee on Judiciary.

Mr. Maxwell, of Clarke, introduced

H. B. No. 96—An act submitting to the voters of Washington Territory at the next general election a proposition for calling a

convention to frame a State constitution and to apply for the admission of the State of Washington into the Union.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Coupe,

Referred to committee on Elections.

Mr. More, of Pierce, introduced

H. R. No. 6—Relative to the hour of meeting for the House after the 16th of November.

Resolution read first time.

On motion of Mr. Cock,

The rules were suspended and the resolution was read second time,

On motion of Mr. Campbell,

Referred to committee on Rules and Orders.

SECOND READING OF BILLS.

H. B. No. 71—An act to amend an act entitled an act authoring the settlement of estates of persons dying intestate without administration.

On motion of Mr. Lasater,

Bill read second time.

On motion of Mr. Hinkley,

Referred to committee on Judiciary.

H. B. No. 84—An act to amend an act entitled "an act to incorporate the city of Port Townsend, Jefferson county, W. T.," passed January 16th, 1860, and all subsequent acts amendatory thereto.

On motion of Mr. Noyes,

Bill read a second time.

On motion of Mr. Brazee,

Referred to committee on Corporations.

H. B. No. 87—An act entitled "an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound and all American waters pertaining thereto.

On motion of Mr. Cline,

Bill read second time.

Mr. Noyes moved that the bill be referred to the committee on Commerce.

Mr. Cline moved that the bill be referred to the committee on Ways and Means.

Amendment carried.

Question recurring on the original motion, the same was duly carried.

H. J. R. No. 5—Relative to introduction of new business in the House.

Mr. Winans moved that rules be suspended and resolution be read third time.

Amendment by Mr. Cock that the resolution be indefinitely postponed.

Amendment adopted.

Original motion as amended carried.

BILLS, REPORTS AND OTHER BUSINESS ON TABLE.

Report of committee on

H. B. No. 3—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases."

On motion of Mr. Brazee,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Bigelow, Brewer, Coupe, Cline Finkbonner, Gray, Gosnell, Judson, Kerns, Lasater, Maxwell, More, McConaha, Scott, Sinclair and Mr. Speaker—17.

Those voting in the negative were

Messrs. Barstow, Campbell, Hinkley, Lloyd, Maxon, Winans, Whetstone—7.

Absent—Messrs. Ashpaugh, Brazee, Cock, Hovey, Maxon and Noyes—6.

Bill passed and title agreed to.

By permission of the House Mr. McConaha submitted the following reports:

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend that it be amended as follows:

SEC. 2. That all Territorial, county and precinct officers elected at the first general election to be held in accordance with the provisions of this act, shall qualify and be entitled to their several offices within sixty days after the first Monday in June, 1873, and shall hold their respective offices for the term of one year or until their successors are duly elected and qualified: *Provided*, That if Congress should change the time of election to November, then the term of the present incumbents expire on the first Monday in January, 1873.

G. N. McCONAHA,
Chairman.

Mr. McConaha of King, of the committee on Judiciary, made the following report:

MR. SPEAKER—

Your committeee on Judiciary, to whom was referred

H. B. No. 3—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases,"

Report the same back and recommend the following amendments:

SEC. 2. Every person who shall be guilty of notorious lewd-

ness, public indecency, or who shall use obscene, blasphemous language in the presence of a female, calculated to produce anger or breach of the peace shall, on conviction thereof, be imprisoned in the county jail not exceeding six months and be fined in any sum not exceeding five hundred dollars.

Respectfully submitted,

G. N. McCONAHA,

Chairman.

Mr. McConaha of King, from committee on Judiciary, made the following report:

MR. SPEAKER—

The committee on Judiciary, to whom was referred

H. B. No. 77—An act to authorize Frank Clark to dispose of certain property by lottery or raffle,

Have had the same under consideration, and have instructed me to report the same back to the House with the following substitute and recommend the passage of the substitute:

Substitute to H. B. No. 77—An act authorizing Frank Clark, of Pierce county, to dispose of property by lottery or raffle within a certain time.

Respectfully submitted,

GEO. N. McCONAHA,

Chairman.

Report of committee on H. B. No. 77 with the

Substitute to H. B. No. 77—An act authorizing Frank Clark, of Pierce county, Washington Territory, to dispose of property in the Territory of Washington by lottery or raffle within a certain time.

Mr. Hinkley moved that report be adopted.

On this motion the ayes and noes were demanded, with the following result:

Those voting in the affirmative were

Messrs. Abbott, Coupe, Cline, Gray, Gosnell, Hinckley, Judson, Lloyd, Lasater, Moore, Noyes, Ping, Scott, Whetstone and Mr. Speaker—15.

Those voting in the negative were

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Finkbonner, Hovey, Kerns, Maxwell, Maxon, McConaha and Sinclair—14.

Report of committee was adopted.

Mr. Bigelow offered the following amendment to H. B. No. 77:

SEC. 2. The said grantee is also hereby authorized to offer by lottery, the two Territorial brass howitzers, the sword of the adjutant general, and all the other Territorial arms, excepting the rifles heretofore won by the members of the Legislature.

On motion of Mr. Lasater,

Amendment was indefinitely postponed.

Mr. Cock moved to adjourn.

On this motion the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Barstow, Bigelow, Brewer, Campbell, Cock, Finkbonner, Hovey, Kerns, Maxwell, Maxon, Sinclair, Winans—12.

Those voting in the negative were

Messrs. Abbott, Brazee, Coupe, Cline, Gray, Gosnell, Hinckley, Judson, Lloyd, Lasater, More, McConaha, Noyes, Ping, Scott, Whetstone and Mr. Speaker—17.

Absent—Mr. Ashpaugh.

Motion lost.

Mr. Hinckley called for the previous question.

On this question the ayes and noes were demanded, with the following result:

Those voting in the affirmative were

Messrs. Abbott, Cline, Coupe, Gray, Gosnell, Hinkley, Judson, Lloyd, Lasater, More, Noyes, Ping, Scott and Mr. Speaker—15.

Those voting in the negative were

Messrs. Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Finkbonner, Hovey, Kerns, Maxwell, Maxon, McConaha, Sinclair, Winans and Whetstone—14.

Absent—Mr. Ashpaugh.

Previous question taken up.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Cock, Coupe, Cline, Gray, Gosnell, Hinkley, Judson, Lloyd, Lasater, More, Noyes, Ping, Scott, Whetstone andMr. Speaker—16.

Those voting in the negative were—

Messrs. Brazee, Barstow, Bigelow, Brewer, Campbell, Finkbonner, Hovey, Kerns, Maxon, Maxwell, McConaha, Sinclair, Winans—13.

Absent—Mr. Ashpaugh.

So the bill passed and the title agreed to.

On motion of Mr. Judson,

The clerk was instructed to report the passage of the above to the House.

On motion of Mr. Cock,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATVIES,
Thursday, November 16, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxon, Maxwell, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Journal of yesterday read and approved.

Prayer by the Chaplain.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 16, 1871.

MR. SPEAKER,—

I am instructed by the Council to inform the House of the introduction of the following:

C. B. No. 23—An act in relation to private seals.

Also the passage in the Council of the following:

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla.

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.

H. B. No. 57—An act to amend an act to incorporate the city of Seattle.

Also, that the President of the Council has signed the following:

H. B. No. 24—An act to fix the time and place of holding the supreme and several district courts of Washington Territory.

H. J. R. No. 4—Relative to payment of Rev. J. F. Devore for services as chaplain rendered at third session of Washington Territory legislature.

H. M. No. 2—Asking an appropriation for a road from Seattle to Bellingham Bay.

H. M. No. 1—Relative to the free navigation and improvement of Skagit river in Washington Territory.

ELWOOD EVANS,
Chief Clerk.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 83—An act to dissolve the bonds of matrimony heretofore existing between William P. Smith and Eliza, his wife.

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Noyes, chairman of the committee on Elections, made the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. No. 96—An act submitting to the voters of Washington Territory, at the next general election, a proposition for calling a convention to frame a State constitution and to apply for the admission of the State of Washington into the Union,

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

C. J. NOYES,

Chairman.

Mr. Brazee, from the committee on Ways and Means, made the following reports:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. No. 74—An act empowering the Governor to suspend or remove Territorial officers and fill vacancies in certain cases,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendments:

Strike out in lines two and three "persons commencing, &c., to officer," and insert "Territorial officer shall be indicted." In section two, line one, strike out "or if judgment be recovered against him."

J. W. BRAZEE,

Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. No. 72—An act for the relief of the sheriff of Thurston county,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendment:

Insert "two hundred dollars" in place of "four hundred," where the same occurs in said bill.

H. B. No. 11—An act providing for the relief of Dr. Philip James.

H. B. No. 29—An act for the relief of J. M. Vansyckle.

H. B. No. 50—An act relating to costs incurred in criminal prosecutions, for offences committed on islands held under joint occupation of the United States and Great Britain.

H. B. No. 62—An act authorizing the Territorial auditor to contract for the Rinquest patent shackle.

Have have had the same under consideration, and have instructed me to return them to the House and recommend that they do not pass.

J. W. BRAZEE,
Chairman.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

The petition from the citizens of Stevens county, have had the same under consideration and return it with the accompanying bill and recommend its passage.

H. D. COCK,
Chairman.

Mr. Lasater from Select committee consisting of the attorneys of the House, submitted the following report:

MR. SPEAKER—

The Select committee to whom was referred

H. B. No. 20—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions."

C. B. No. 9—An act to make uniform the practice in all suits of chancery jurisdiction.

Have instructed me to report said bills to the House with the following substitute and recommend its passage:

H. S. for C. B. No. 9 and H. B. No. 20—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

J. H. LASATER,
Chairman.

Mr. Whetstone, of Walla Walla, introduced

H. B. No. 98—An act relative to a certain raffle.

Bill read first time.

Mr. Judson moved that the rules be suspended and bill read second time now.

Amendment by Mr. Lasater that bill be rejected by the House.

Amendment lost.

Original motion carried.

Bill read second time.

Mr. Cock moved that the bill be referred to a Select committee.

Amendment by Mr. Winans that rules be suspended and bill be read third time now.

Amendment to the amendment by Mr. Noyes, that bill be indefinitely postponed.

Amendment to the amendment carried.

Mr. Winans, of Stevens, introduced

H. B. No. 99—An act for the relief of Chas. Prosch & Son.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Bigelow,

Referred to committee on Ways and Means.

Mr. Winans, of Stevens, introduced

H. B. No. 100—An act to amend an act entitled "an act relating to county assessors."

On motion of Mr. Cock,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Cock,

Referred to committee on Ways and Means.

H. B. No. 94—An act conferring certain powers on the board county commissioners of Chehalis county.

On motion of Mr. Gosnell,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

Amendment offered by Wm. Campbell to insert in line three of section three, after the word "bond," "with two sufficient sureties."

Amendment adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Brazee, Brewer, Campbell, Coupe, Cock, Cline, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, McConaha, More, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—29.

Absent—Mr. Ashpaugh.

Bill passed and title agreed to.

Report of committee on

H. B. No. 8—An act relative to the sale of spirituous, malt or fermented liquors or wines,

Was taken from the table.

Mr. Coupe moved that the report be adopted.

Upon which motion the ayes and nays were demanded with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell,

Cock, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Kerns, Maxwell, Maxon, Noyes, Sinclair, Winans and Mr. Speaker—20.

Those voting in the negative were

Messrs. Judson, Lasater, Lloyd, More, McConaha, Ping, Scott, Whetstone—8.

Absent—Mr. Ashpaugh.

The report of the committee was adopted.

Report of committee on

H. B. No. 69—An act to repeal an act entitled an act defining the rights of husband and wife.

On motion of Mr. More,

The report of the committee was adopted.

Report of committee on

H. B. No. 79—An act to make perfect titles to lands in Washington Territory.

On motion of Mr. Lasater,

The report of the committee was adopted.

The question being "Shall the bill now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Brewer, Cock, Coupe, Cline, Campbell, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, McConaha, Noyes, Scott, Sinclair and Mr. Speaker—24.

Those voting in the negative were—

Messrs. Bigelow, Ping, Winans and Whetstone—4.

Absent—Ashpaugh and Judson.

Bill passed and title agreed to.

The Speaker gave notice that he was about to sign the following:

H. B. No. 83—An act to dissolve the bonds of matrimony existing between Wm. P. Smith and Eliza, his wife.

On motion of Mr. Judson,

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Thursday, November 16, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cline, Cock, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Mr. Ashpaugh.

Report of committee on

H. B. No. 76—An act in relation to crimes and punishments.

On motion of Mr. Judson,

The report of the committee was adopted.

Mr. Abbott moved to strike out the word "five" and insert "one," in line five.

Motion lost.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Barstow, Bigelow, Brewer, Coupe, Cline, Cock, Campbell, Gray, Hinkley, Judson, Kerns, Lloyd Maxwell, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone and Mr. Speaker—23.

Those voting in the negative were

Messrs. Brazee and Winans—2.

Absent—Messrs. Ashpaugh, Finkbonner, Gosnell, Hovey and Lasater.

So the bill passed and the title agreed to.

Report of committee on

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

On motion of Mr. Lasater,

The report of the committee was adopted.

On motion of Mr. Lasater,

The House went into a committee of the whole to consider the bill and report.

Mr. Lasater in the chair.

After which, Mr. Lasater from said committee, reported the following amendments:

Strike out in sections one, two and three the word "Territorial" and insert "District," and add the following to section three:

Provided, That if Congress should change the time of election to November, then the term of the present incumbents expire on the first Monday in January, 1873, and those elected in November, 1872, shall hold office for two years after the first Monday in January, 1873.

On motion of Mr. Winans,

Amendments adopted.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Cline, Gray, Gosnell, Hinkley, Hovey, Judson, Lloyd, Lasater, More, Maxon, Maxwell, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—27.

Negative—Mr. Kerns.

Absent—Mesrs. Ashpaugh and Finkbonner.

Bill passed and title agreed to.

Report of committee on

H. B. No. 73—An act authorizing the county commissioners of Kitsap county to transcribe the records of said county.

On motion of Mr. Noyes,

The report of the committee was adopted.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

Report of committee on

H. B. No. 72—An act for the relief of the sheriff of Thurston county,

On motion of Mr. Kerns,

The report of the committee was adopted.

The question recurring on the passage of bill as amended, bill unanimously passed and title was agreed to.

Mr. Lloyd moved that report of committee on

H. B. No. 29—An act for the relief of J. M. Vansyckle, be laid on the table. Motion lost.

On motion of Mr. Winans,

The report of the committee was adopted.

Mr. Van Bokkelen moved that

H. B. No. 50—An act relating to costs incurred in criminal prosecutions, for offences committed on Islands held under joint occupation of the United States and Great Britain,

Be again referred to committee on Ways and Means.

Motion carried.

Report of committee on

H. B. No. 62—An act authorizing the Territorial auditor to contract for the Rinquest patent shackle.

On motion of Mr. Winans,

Report of committee was adopted.

Mr. Speaker in the chair.

Report of committee on

H. B. No. 96—An act submitting to the voters of Washington Territory at the next general election a proposition for calling a convention to frame a State constitution and to apply for the admission of the State of Washington into the Union.

On motion of Mr. Hinkley,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Cock, Campbell, Cline, Coupe, Hinkley, Judson, Lasater, Maxwell, Maxon, McConaha, Noyes, Scott, Sinclair, Winans and Mr. Speaker—15.

Those voting in the negative were

Messrs. Abbott, Barstow, Brazee, Bigelow, Brewer, Finkbonner, Gray, Gosnell, Hovey, Kerns, Lloyd, More, Ping and Whetstone—14.

Absent—Mr. Ashpaugh.

Report of committee on

H. B. No. 74—An act empowering the Governor to suspend or remove Territorial officers and fill vacancies in certain cases.

On motion of Mr. Coupe,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Gray, Gosnell, Hinckley, Hovey, Judson, Lloyd, Lasater, Maxwell, Maxon, More, Ping, Scott, Winans, Whetstone and Mr. Speaker—29.

Those voting in the negative were

Messrs. Cock, Kerns, McConaha, Noyes, Sinclair—5.

Absent—Messrs. Ashpaugh and Finkbonner.

Report of committee on

H. B. No. 97—An act to organize the county of Whitman.

On motion of Mr. Cock,

Report of the committee was adopted.

Report of committee on

H. B. No. 20—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions."

C. B. No. 9—An act to make uniform the practice in all suits of chancery jurisdiction.

On motion of Mr. Brazee,

The report of the committee was adopted.

Mr. McConaha, of King, introduced

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

Bill read first time.

Mr. Cock, of Yakima, introduced

Substitute for H. B. No. 102—An act to allow a bounty for killing wild animals.

Bill read first time.

By permission of the House Mr. Bigelow submitted the following report:

Mr. Bigelow, from the committee on Federal Relations, made the following report:

MR. SPEAKER—

Your committee on Federal Relations, to whom was referred

H. J. M. 6—Praying for mail service from Port Townsend to Coupeville.

H. J. M. No. 8—Relative to tide lands of Olympia.

Have had the same under consideration and have instructed me to report the same back without amendment and recommend their passage.

D. R. BIGELOW,
Chairman.

Report of committee on

H. J. M. No. 6—Praying for mail service from Port Townsend to Coupeville, *via* Ebey's landing.

On motion of Mr. Cline,

The report of the committee was adopted.

The question being "Shall the memorial pass?" the ayes and noes were demanded with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Gray, Gosnell, Hinkley, Kerns, Lasater, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—23.

Absent—Messrs. Ashpaugh, Barstow, Finkbonner, Hovey, Judson, Lloyd and Maxwell.

Memorial passed.

Report of committee on

H. J. M. 8—Relative to the tide lands of Olympia.

On motion of Mr. Cline,

The report of the committee was adopted.

The question being "Shall the memorial pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Gray, Gosnell, Hinkley, Kerns, Lasater, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—23.

Absent—Messrs. Ashpaugh, Barstow, Finkbonner, Hovey, Judson and Maxwell.

Memorial passed.

On motion of Mr. Cline,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, November 17, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxon, Maxwell, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Journal of yesterday read and approved.

Prayer by the Chaplain.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 16, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of the following:

C. B. No. 24—An act relative to the location of the county seat of Klikitat county.

Also the passage in the Council of the following:

C. M. No. 1—Praying Congress to appropriate $60,000 for removing obstructions from the upper Columbia river between Celilo and Wallula.

C. B. No. 13—An act defining the rights of husband and wife, and in relation to descent and distribution of real and personal estate.

C. B. No. 19—An act for the relief of James Huntington & Son.

C. B. No. 20—An act for the relief of Al. Pettygrove.

C. B. No. 21—An act to amend an act entitled an act to pro-

vide for the election of county commissioners and defining their duties.

H. B. No. 47—An act in relation to dogs.

H. B. No. 60—An act for the relief of I. V. Mossman.

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss.

H. B. No. 93—An act to change the name of Mary E. Fowler to that of Mary E. Phelan.

And respectfully request that the House of Representatives appoint a committee of conference on the disagreement between the Houses on

C. B. No. 14—An act for the preservation of certain game birds.

ELWOOD EVANS,
Chief Clerk.

Mr. McConaha, from committee on Judiciary, reported on H. B. No. 70 by bill, as a substitute therefor.

Mr. Bigelow, of Thurston, introduced

H. B. No. 104—An act to protect the Territorial capitol from fire.

Bill read first time.

No objections being made, bill was read second time now by title.

On motion of Mr. Hinkley,

Referred to committee on Ways and Means.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 105—An act to amend an act entitled "an act to incorporate the city of Walla Walla."

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Lasater,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Brazee, Brewer, Campbell, Coupe, Cock, Cline, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, McConaha, More, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—29.

Absent—Mr. Ashpaugh.

Bill passed and title agreed to.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 106—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Bill read first time.

Mr. Lloyd, of Walla Walla, introduced

H. B. No. 107—An act to authorize persons accused of crime to be a witness in his or her own behalf.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Kerns,

H. B. No. 107—An act to authorize persons accused of crime to be witnesses in his or her own behalf,

Referred to committee on Judiciary.

Mr. Brazee, of Skamania, introduced

H. B. No. 108—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1869.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Cock,

Referred to committee on Agriculture.

Mr. Winans, of Stevens, introduced

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Lasater,

H. B. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county,

Was referred to delegates from Walla Walla and Stevens counties.

Mr. Maxon, of Clarke, introduced

H. B. No. 110—An act to regulate interest on money and the prevention of usury.

Bill read first time.

No objections being made, read second time now, by title, and

On motion of Mr. Bigelow,

H. B. No. 110—An act to regulate interest on money and to prevent usury,

Referred to committee on Judiciary.

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

Bill read second time.

On motion of Mr. Judson,

Referred to committee on Corporations.

H. B. No. 97—An act to organize the county of Whitman.

Bill read second time.

On motion of Mr. Lasater,

Referred to committee on Counties.

H. B. No. 101—An act authorizing the county commissioners

of King county to borrow money for the purpose of paying off bonds issued by King county.

Bill read second time.

On motion of Mr. Lasater,

Referred to delegation from King county.

Substitute for H. B. No. 102—An act to allow a bounty for killing wild animals.

Bill read second time.

On motion of Mr. Campbell,

Bill was amended by adding "and five cents for each crow and raven."

Mr. Judson moved that bill be referred to committee on Ways and Means.

Amendment by Mr. Winans that the bill be referred to committee on Counties.

Amendment to the amendment by Mr. Cock that bill be referred to Select committee of five.

Amendment to the amendment lost.

Amendment to the motion lost.

Report of committee on

H. B. No. 13—An act to sub-divide the judicial districts of the Territory of Washington and providing places for holding courts therein,

On motion of Mr. Bigelow,

Laid on the table.

Report of committee on

H. B. No. 70—An act to change the name of Almanson Morey to Almanson Lovelace.

On motion of Mr. Lasater,

The report of the committee was adopted.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Lasater,

Referred to special committee consisting of delegation from Walla Walla county.

H. B. No. 60—An act for the relief of I. V. Mossman,

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss,

H. B. No. 93—An act to change the name of Mrs. Mary E. Fowler to that of Mrs. Mary E. Phelan,

Having passed the Council, were

On motion of Mr. Bigelow,

Referred to committee on Enrolled Bills.

H. B. 44—An act prescribing the manner of locating and changing county seats,

Having been returned from the Council with amendments, the question was "Shall the House concur in the amendments by the Council?" House refused to concur.

On motion of Mr. Lasater,

A committee of three was appointed to converse with a like committee on the part of the Council, on

H. B. 4—An act entitled an act relating to crimes and punishments and proceedings in criminal cases.

The Speaker appointed Messrs. Lasater, Hovey and Coupe as such committee.

On motion of Mr. More,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, November 18, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cline, Cock, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Mr. Ashpaugh.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Winans, of Stevens, introduced

Remonstrance from the citizens of Stevens county against the division of said county, read and,

On motion of Mr. Bigelow,

Referred to Committee on Counties.

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 86—An act relative to grand and petit jurors, and prescribing the manner for drawing the same for the counties of Pierce, Pacific and Yakima.

H. B. No. 95—An act in relation to seals.

Have had the same under consideration and have instructed me to report the same back without amendment and recommend their passage.

G. N. McCONAHA,
Chairman.

Mr. Brazee, from the committee on Ways and Means, made the following reports:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 59—An act to transfer certain Territorial funds into the county treasury of Stevens county,

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

J. W. BRAZEE,
Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 65—An act in relation to Territorial auditor.

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendments:

In section two, line three, strike out "Saturday" and insert "week." In section three, line two, after "same," insert "which warrant shall state the act under which it is drawn and the date of the passage of said act." In section seven, line one, strike out "seven hundred" and insert "one thousand."

J. W. BRAZEE,
Chairman.

On motion of Mr. Lasater,

H. B. No. 111—An act in relation to sales made by administrators and guardians.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Maxon,

Referred to Committee on Judiciary.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 112—An act to amend an act entitled "an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Bill read first time.

On motion of Mr. Barstow,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Brazee,

Referred to committee on Elections.

Mr. Brazee, of Skamania, introduced

H. R. No. 6—Relative to introduction of new business in the House.

Resolution read first time.

On motion of Mr. Winans,

The rules were suspended and the resplution was read second time.

Mr. Campbell moved that rules be suspended and resolution read third time, now.

Amendment by Mr. McConaha that resolution be referred to committee on Rules and Orders.

Mr. McConaha, from Select committee consisting of the King county delegation, made the following report:

MR. SPEAKER—

The House delegation from King county, to whom was referred

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

Have had the same under consideration and have instructed me to report a substitute with the following title:

Substitute for H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for said county.

Respectfully submitted,

GEO. N. McCONAHA,

Chairman.

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap, Snohomish and Jefferson.

Bill read second time.

On motion of Mr. Sinclair,

The word "Snohomish" was stricken out.

Mr. Judson moved that bill be referred to committee on Ways and Means.

Mr. Lasater in the chair.

Amendment by Mr. McConaha that bill be referred to delegation from Kitsap and Jefferson counties.

Amendment to the amendment, by Mr. Bigelow, to add the delegation from Thurston.

Amendment to the amendment carried.

Amendment as amended carried.

Original motion as amended, carried.

H. B. 103—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

Bill read second time.

On motion of Mr. Cline,

Was referred to committee on Judiciary.

H. B. No. 106—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Bill read second time.

Mr. Bigelow moved that bill be referred to committee on Agriculture.

Amendment by Mr. Noyes that bill be referred to committee on Judiciary.

Amendment to the amendment by Mr. McConaha to refer to committee on Ways and Means.

Amendment to the amendment carried.

Report of committee on

H. B. No. 65—An act in relation to Territorial auditor.

On motion of Mr. Cline,

The report of the committee was adopted.

On motion of Mr. Coupe,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Barstow, Bigelow, Campbell, Cline, Finkbonner, Gray, Gosnell, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, McConaha, Ping, Scott, Winans and Mr. Speaker—19.

Those voting in the negative were

Messrs. Abbott, Brewer, Coupe, Cock, Hovey, Hinkley, Noyes, Sinclair and Whetstone—8.

Absent—Messrs. Ashpaugh and Brazee.

So the bill passed and the title agreed to.

Report of committee on

H. B. No. 59—An act to transfer certain Territorial funds into the county treasury of Stevens county.

On motion of Mr. Van Bokkelen,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Cock, Finkbonner, Gray, Hinckley, Hovey, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—28.

Negative—Mr. Gosnell.

Absent—Mr. Ashpaugh.

Bill passed and title agreed to.

On motion of Mr. Brazee,

The word "Territorial," in the title of the bill was struck out, and title, as amended, approved.

Report of committee on

H. B. No. 86—An act relative to grand and petit jurors and prescribing the manner of drawing the same for the counties of Pierce, Pacific, Stevens and Yakima.

On motion of Mr. Winans,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Cline, Gray, Gosnell, Hinkley, Hovey, Judson, Lloyd, Lasater, More, Maxon, Maxwell, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—27.

Negative—Mr. Kerns.

Absent—Mesrs. Ashpaugh and Finkbonner.

Bill passed and title agreed to.

On motion of Mr. Winans,

The report of the committee of Conference on

H. B. No. 13—An act to sub-divide the judicial districts of Washington Territory, and provide places for holding courts therein,

Was taken up, read and adopted.

Report of committee on

H. B. No. 95—An act in relation to seals.

On motion of Mr. Cock,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, More, McConaha, Maxon, Max-

well, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—29.

Absent—Mr. Ashpaugh.

Bill passed and title agreed to.

By permission of the House Mr. Cock submitted the following report:

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

C. B. No. 8—An act to authorize the county commissioners of Klikitat county to allow private parties to erect gates on roads and highways,

Have had the same under consideration and have instructed me to report a substitute with the following title:

Substitute to C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county, W. T., to erect gates on certain public roads.

H. D. COCK,
Chairman.

Substitute for C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county to place gates on certain roads and highways.

Bill read first time.

Report of committee on

H. B. No. 100—An act to amend an act entitled "an act relating to county assessors."

On motion of Mr. Lasater,

The report of the committee was adopted.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Brazee, Bigelow, Brewer, Campbell, Cock, Cline, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, McGonaha,

Noyes, Scott, Sinclair, Ping, Winans, Whetstone and Mr. Speaker—28.

Negative—Mr. More.

Absent—Mr. Ashpaugh.

Bill passed and title agreed to.

Report of committee on

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

On motion of Mr. Kerns,

The report of the committee was adopted.

Report of committee on

C. B. No. 23—An act in relation to private seals.

On motion of Mr. Lasater,

The clerk was instructed to request the Council to transmit C. B. 23 to the House.

Report of committee on C. B. 8.

On motion of Mr. Hinkley,

Report of committee was adopted.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
November 14, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. No. 2—An act for the appointment of a resident physician for the insane asylum and prescribing his duties.

H. J. M. No. 4—Praying for the retention of the garrison at Fort Colville.

H. J. M. 6—Praying for mail service from Port Townsend to Coupeville.

Also, that the President of the Council has signed the following:

H. B. No. 83—An act to dissolve the bonds of matrimony

heretofore existing between William P. Smith and Eliza, his wife.

ELWOOD EVANS,
Chief Clerk.

H. B. No. 47—An act in relation to dogs.

On motion of Mr. Cock,

House concurred in amendments made by the Council.

C. B. No. 20—An act for the relief of Al. Pettygrove.

Bill read first time.

On motion of Mr. Lasater,

Laid on the table.

Mr. Lasater moved that a committee of three be appointed to wait on the Secretary of Washington Territory to ascertain from him, and report to this House, what prospect there is of the payment of the per diem of the members at the close of the present session of the Legislature.

Motion carried.

The Speaker appointed Messrs. Lasater, Kerns and Lloyd.

The clerk was instructed to send all enrolled bills to the Govnor for his signature.

On motion of Mr. Cline,

Adjourned until Monday morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, November 20, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cline, Cock, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Mr. Ashpaugh.

Prayer by the Chaplain.

Journal of Saturday read and approved.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 64—An act in relation to Territorial treasurer, have had the same under consideration and have instructed me to recommend the following amendments:

In section one, line four, strike out "five," so as to read "twenty thousand dollars."

In section two, line five, add the following:

"Salaries of Territorial auditor and treasurer excepted."

In section four, line two, strike out "any person receiving the same," and insert "he;" in line three insert "Territorial" before "auditor;" and in line four add to section: "and one to the person paying in the money."

In section eight, line two, after "shall," insert "knowingly."

In section nine, line one, after "warrants," insert "exceeding one thousand dollars."

And recommend its passage.

J. W. BRAZEE,
Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. No. 100—An act to amend an act entitled "an act relating to county assessors,"

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendments:

Strike out "be and the same is hereby repealed," and insert the following:

"That hereafter the census shall only be taken biennially, commencing in the year A. D. 1873."

J. W. BRAZEE,
Chairman.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. B. No. 34—An act to secure to orphans and all children in the Territory a common school education.

H. B. No. 61—An act to amend an act entitled an act establishing a common school system for the Territory of Washington.

Beg leave to report a substitute for the above named bills.

D. R. BIGELOW,
Chairman.

Mr. Hovey, chairman of the committee on Commerce, made the following report:

MR. SPEAKER—

The committee on Commerce, to whom was referred

H. J. M. No. 9—Relative to light houses in Washington Territory.

H. J. M. No. 10—Relative to mail service from Seattle to Bellingham Bay.

Have had the same under consideration and have instructed

me to report the same back without amendment and recommend their passage.

S. W. HOVEY,
Chairman.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

C. J. R. No. 6—Relative to visit of university by Joint Committee of the Legislative Assembly.

H. J. M. No. 3—Memorial praying for re-establishment of thirteenth light house district, and locating the same at Port Townsend.

C. B. No. 5—An act to extend and define the corporate limits of the city of Walla Walla.

H. B. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county.

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.

H. B. No. 57—An act to amend an act entitled "an act to incorporate the town of Seattle."

H. B. No. 88—An act in relation to licenses in the county of Clalm.

H. B. No. 93—An act to change the name of Mrs. Mary E. Fowler to that of Mrs. Mary E. Phelan,

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss.

H. B. No. 60—An act for the relief of I. V. Mossman.

Respectfully submitted,
WM. P. WINANS,
Chairman.

Mr. McConaha of King, from committee on Judiciary, made the following report:

MR. SPEAKER—

The committee on Judiciary, to whom was referred

H. B. No. 71—An act to amend an act entitled an act authoring the settlement of estates of persons dying intestate without administration.

H. B. No. 80—An act to confirm titles to certain real estate in the city of Walla.

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend their passage.

Respectfully submitted,

G. N. McCONAHA,
Chairman.

Mr. Maxon, from Joint committee to visit Territorial University, submitted a report which was ordered printed.

Mr. Brazee, of Skamania, introduced

H. B. No. 113—An act in relation to foreign corporations holding property or doing business in this Territory.

Bill read first time.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
November 20, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. No. 24—An act relative to the location of the county seat of Klikitat county.

H. B. 21—An act in relation to Territorial convicts.

H. B. No. 48—An act in relation to poisons.

H. B. No. 55—An act in relation to gates across public highways.

H. B. No. 73—An act authorizing the county commissioners of Kitsap county to transcribe the records of said county.

H. B. No. 92—An act relating to the county auditors of Island and Snohomish counties.

ELWOOD EVANS,
Chief Clerk.

Mr. Kerns from Select committee consisting of Clarke county delegation, to whom was referred

H. B. No. 49—An act to amend "an act entitled an act to authorize a special tax in the county of Clarke."

Reported a substitute thereto as follows:

Substitute for H. B. No. 49—An act to amend an act entitled "an act authorizing a special tax for the county of Clarke to pay the indebtedness of said county," approved October 30, 1869.

Mr. Abbott, of Clarke, introduced

H. B. No. 114—An act to amend an act establishing a common school system for the Territory of Washington.

Bill read first time.

On motion of Mr. Abbott,

The rules were suspended and the bill was read second time by title.

Mr. Coupe, of Island, introduced

H. B. No. 115—An act to further define the duties of officers conducting elections.

Bill read first time.

No objections being made, bill was read second time now by title.

Mr. Cock moved that it be referred to committee on Corporations.

Mr. McConaha offered an amendment to refer to committee on Elections.

Mr. Sinclair moved to amend the amendment to refer to committee on Counties.

Amendment to the amendment lost.

Amendment carried.

Original motion as amended carried.

Mr. Ping, of Walla Walla, introduced

H. B. No. 116—An act to provide for a new seal for Washington Territory.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Kerns,

Referred to committee on Ways and Means.

Mr. Winans, of Stevens, introduced

H. B. No. 117—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Winans,

Referred to committee on Ways and Means.

Mr. Barstow, of Pacific, introduced

H. B. No. 118—An act creating a board of pilot commissioners and pilots on the Columbia river and bar.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Barstow,

Referred to Committee on Commerce.

Mr. Winans, of Stevens, introduced

H. J. R. No. 8—Resolution providing for the publication and distribution of certain laws in pamphlet form.

Resolution read first time.

On motion of Mr. Sinclair,

The rules were suspended and the resolution was read second time.

On motion of Mr. Winans,

Referred to committee on Ways and Means.

Mr. Whetstone, of Walla Walla, introduced

H. B. No. 119—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Kerns,

The bill was referred to committee on Ways and Means.

Mr. Whetstone, of Walla Walla, introduced

H. B. No. 120—An act to amend an act entitled "an act to provide for the assessing and collecting of county and Territorial revenue," approved Dec. 2, 1869.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Winans,

Referred to committee on Claims.

Mr. More, of Pierce, introduced

H. J. M. No. 11—Relative to mail service from Puget Sound to be transmitted by rail and steamers via San Francisco.

Memorial read first time.

On motion of Mr. Cline,

Referred to committee on Federal Relations and Memorials.

Substitute to C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county, W. T., to erect gates on certain public roads.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell. Cock, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Kerns, Lasater, Maxwell, Maxon, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—25.

Those voting in the negative were

Messrs. Judson, Lloyd, Moore—3.

Absent—Messrs. Ashpaugh and Finkbonner.

So the bill passed.

Substitute for H. B.'s Nos. 34 and 61—An act establishing a common school system for the Territory of Washington.

Bill read first time.

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

Bill read third time.

On motion of Mr. Hinkley,

Bill was amended by striking out the words "in gold coin" in lines three and six, and inserting the word "twelve" before "thousand," in line four.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Brazee, Brewer, Campbell, Coupe, Cock, Cline, Gray, Gosnell, Hinkley, Hovey, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, McConaha, More, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—28.

Absent—Messrs. Ashpaugh and Finkbonner.

So the bill passed and the title agreed to.

C. B. No. 2—An act for the appointment of a resident physician for the insane asylum and prescribing his duties.

Bill read first time.

C. B. No. 21—An act to amend an act entitled an act to provide for the election of county commissioners and defining their duties.

Bill read first time.

C. B. No. 19—An act for the relief of James Huntington & Son.

Bill read first time.

Substitute for C. B. No. 13—An act defining the rights of persons and property as affected by marriage.

Bill read first time.

C. B. No. 20—An act for the relief of Al. Pettygrove.

Bill read a second time.

On motion of Mr. Coupe,

Referred to Committee on Claims.

C. M. No. 1—Praying Congress to appropriate $60,000 for removing obstructions from the upper Columbia river between Celilo and Wallula.

Memorial read first time.

On motion of Mr. Lasater,

Referred to committee on Federal Relations.

To the Honorable Senate and House of Representatives of the United States in Congress Assembled:

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent that owing to natural obstructions in the Columbia river between Celilo and Wallula, it is navigable during the fall of the year, and after the crops are ready for market, only to boats of a small class; and that there being insufficient for their transportation to market, the productions of the country necessarily remain in store from harvest time to the high water of the following spring; that it is estimated upon actual surveys by competent persons, that an expenditure of $60,000 would remove all obstructions to navigation throughout the season, by boats of sufficient capacity to supply the wants of the country.

The importance of the country to be affected by this improvement may be judged from the fact that the single county of Walla Walla is estimated at this time to contain between eight and ten thousand population, and has produced the past season some 400,000 bushels of wheat, 250,000 bushels of oats and barley, 300 tons of potatoes, and 300 tons of grapes and peaches.

Your memorialists believing that this improvement would insure the rapid settlement of the entire country lying east of the Cascade range of mountains, and materially contribute to the wealth of the nation within a very few years, respectfully pray that an appropriation of said amount (sixty thousand dol-

lars) may be made by your honorable bodies, for removing rocks and obstructions from the upper Columbia river between Celilo and Wallula.

And as in duty bound, your memorialists will ever pray.

H. B. No. 21—An act in relation to Territorial convicts.

On motion of Mr. Brazee,

House concurred in Council amendments thereto.

H. B. No. 21—An act in relation to Territorial convicts.

H. B. No. 55—An act in relation to gates across public highways.

H. B. No. 73—An act to authorize the county commissioners of Kitsap county to transcribe the records of said county,

H. B. No. 92—An act relating to county auditors of Island and Snohomish counties.

Referred to committee on Enrolled Bills.

H. B. No. 48—An act in relation to poisons.

On motion of Mr. Bigelow,

House refused to concur in Council amendment to strike out section three.

On motion of Mr. Lasater,

A committee of conference was appointed to confer with a like committee on the part of the Council on

H. B. 48—An act in relation to poisons.

The Speaker appointed Messrs. Campbell, Kerns, Cock, Coupe and Lloyd.

C. B. No. 24—An act relative to the location of the county seat of Klikitat county.

Bill read first time.

No objections being made, the bill was read second time by title.

Mr. Noyes moved that the bill be read third time now.

Mr. Brazee moved to amend by referring it to committee on counties.

Amendment adopted.

Referred to committee on Counties.

Report of committee on

H. B. No. 80—An act to confirm titles to real estate in the city of Walla Walla.

On motion of Mr. Lasater,

The report of the committee was adopted.

The question being "Shall the bill now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Cline, Gray, Gosnell, Hinckley, Hovey, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—23.

Absent—Messrs. Ashpaugh, Brewer, Campbell, Coupe, Cock, Finkbonner and Judson.

Bill passed and title agreed to.

On motion of Mr. Hinkley,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, November 21, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cline, Cock, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinck-

ley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Mr. Ashpaugh.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The Speaker gave notice that he was about to sign the following:

C. J. R. No. 6—Relative to visit of university by Joint Committee of the Legislative Assembly.

H. J. M. No. 3—Memorial praying for re-establishment of thirteenth light house district, and locating the same at Port Townsend.

C. B. No. 5—An act to extend and define the corporate limits of the city of Walla Walla.

H. B. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county.

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.

H. B. No. 57—An act to amend an act entitled "an act to incorporate the town of Seattle."

H. B. No. 88—An act in relation to licenses in the county of Clalm.

H. B. No. 93—An act to change the name of Mrs. Mary E. Fowler to that of Mrs. Mary E. Phelan,

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss.

H. B. No. 60—An act for the relief of I. V. Mossman.

Mr. Brazee, from the committee on Ways and Means, made the following reports:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 50—An act relating to costs incurred in criminal

prosecutions, for offences committed on Islands held under joint occupation of the United States and Great Britain.

H. B. No. 63—An act to amend an act creating the office of Territorial treasurer.

H. B. No. 106—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Have have had the same under consideration, and have instructed me to return them to the House and recommend that they do not pass.

We have also had under consideration a petition from the citizens of Lewis county, asking for seven thousand dollars to build a bridge across Chehalis river, which we return to the House without bill, as we do not consider the financial affairs of the Territory in such condition as to warrant us in making an appropriation of the amount asked for at the present time.

J. W. BRAZEE,
Chairman.

Mr. Judson, from committee on Ways and Means, submitted the following minority report:

MR. SPEAKER—

The undersigned, member of the committee of Ways and Means, to whom was referred H. B. No. 106, begs leave to submit a minority report and recommend that said bill pass, for the following reasons:

1. That the general laws for granting licenses in Washington Territory are not clear and specific in their terms, as is proven daily by the construction placed on the same by the different boards of county commissioners of this Territory.

2. That all laws ought to be clear in their meaning and intent.

STEPHEN JUDSON.

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 110—An act to regulate interest on money and the prevention of usury,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend that it do not pass.

G. N. McCONAHA,
Chairman.

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

C. B. No. 12—An act to regulate marriage,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

Respectfully submitted,
GEO. N. McCONAHA,
Chairman.

By request of Mr. Cock, the committee on Military Affairs was allowed two days longer to report on

H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general."

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 12, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of the following:

C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys.

Also the passage in the Council of the following:

C. B. No. 23—An act in relation to private seals.

H. B. No. 58—An act to amend an act entitled "an act to regulate the practice in civil actions."

H. B. No. 94—An act conferring certain powers on the board of commissioners of Chehalis county, W. T.

H. B. No. 96—An act submitting to the voters of Washington Territory at the next general election a proposition for calling a convention to frame a State constitution and to apply for the admission of the State of Washington into the Union.

And that the Council has adopted the report of the committee on Conference on the disagreement between the Houses on Council amendments to

H. B. No. 13—An act to sub-divide the judicial districts of Washington Territory, and provide places for holding courts therein,

And have passed said bill with amendments reported by said committee of Conference.

Also, that Messrs. Smith, McReavy and Joslyn have been appointed on the part of the Council, a committee of Conference on the disagreement between the Houses on the Council amendments to

H. B. No. 4—An act to amend an act entitled "an act relative to crimes and punishments and proceedings in criminal cases."

ELWOOD EVANS,
Chief Clerk.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 47—An act in relation to dogs.

H. J. M. No. 4—Praying for the retention of the garrison at Fort Colville.

H. J. M. 6—Praying for mail service from Port Townsend to Coupeville.

Respectfully submitted,
WM. P. WINANS,
Chairman.

Mr. Maxwell, chairman of committee on Corporations, made the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. No. 84—An act to amend an act entitled "an act to incorporate the city of Port Townsend, Jefferson county, W. T.," passed January 16th, 1860, and all subsequent acts amendatory thereto,

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

Respectfully submitted,

G. W. MAXWELL,

Chairman.

Mr. Maxwell, of the committee on Corporations, made the following report:

The committee on Corporations, to whom was referred

H. B. 89—An act to amend the corporate laws of the town of Olympia,

Have had the same under consideration, and report it back without amendment and recommend its passage.

G. W. MAXWELL,

Chairman.

Mr. Noyes, chairman of the committee on Elections, made the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. No. 115—An act to further define the duties of officers conducting elections,

Having had the same under consideration, report it back to the House and recommend its indefinite postponement.

C. J. NOYES,

Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. No. 87—An act entitled "an act to establish pilots and

pilot regulations for Juan de Fuca Straits, Puget Sound and all American waters pertaining thereto,

Report the same back to the House without recommendation.

J. W. BRAZEE,
Chairman.

Mr. Maxon, from committee on Agriculture, made the following report:

MR. SPEAKER—

The committee on Agriculture to whom was referred

H. B. No. 91—An act in relation to stock marks.

H. B. No. 108—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1869.

Have had the same under consideration and have instructed me to report the same back without amendment and recommend their passage.

S. D. MAXON,
Chairman.

Mr. Maxwell, from the committee on Elections, made the following report:

MR. SPEAKER—

The minority of the committee on Elections would respectfully represent that it is their opinion that

H. B. No. 115—An act to further define the duties of officers conducting elections,

Should pass. That the progress of events unmistakably indicate that the time has arrived for females to exercise the right of suffrage.

G. W. MAXWELL.

Committee of Ways and Means reported

H. B. No. 122—An act to repeal an act entitled "an act for the relief of Whatcom county.

On motion of Mr. Coupe,

The rules were suspended and the bill was read second time by title.

Mr. Whetstone, of Walla Walla, introduced

H. B. No. 123—An act to repeal section 15 of an act approved January 26, 1867, establishing a common school system.

Bill read first time.

No objections being made, read second time now, by title, and

Mr. Bigelow moved that bill be laid on the table.

Amendment by Mr. Whetstone that bill be referred to committee on Education.

Amendment adopted.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 124—An act in relation to fees and costs.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Kerns,

Referred to committee on Ways and Means.

By permission of the House Mr. McConaha submitted the following report:

MR. SPEAKER—

The committee on Judiciary, to whom was referred

H. R. No. 6—Relative to introduction of new business in the House,

Have had the same under consideration and have instructed me to report it back to the House and recommend that it do not pass.

Respectfully submitted,

G. N. McCONAHA,

Chairman.

H. B. No. 113—An act in relation to foreign corporations holding property or doing business in this Territory.

Bill read a second time.

On motion of Mr. Brazee,

Referred to Committee on Corporations.

C. B. No. 2—An act providing for the appointment of a resi-

dent physician for the insane asylum and prescribing his duties.

Bill read second time.

On motion of Mr. Judson,

Referred to committee on Ways and Means.

Substitute for C. B. No. 13—An act defining the rights of persons and property as affected by marriage.

On motion of Mr. Winans,

Referred to committee on Judiciary.

C. B. No. 19—An act for the relief of James Huntington & Son.

On motion of Mr. Judson,

Referred again to Judiciary committee.

C. B. No. 21—An act to amend an act entitled an act to provide for the election of county commissioners and defining their duties.

On motion of Mr. Judson,

The bill was referred to committee on Ways and Means.

H. B. No. 121—An act establishing a common school system for the Territory of Washington.

Mr. Lasater called to the chair.

Bill read third time.

On motion of Mr. Bigelow,

House went into a committee of the Whole on the bill.

Mr. Lasater from committee of the House, reported progress upon the bill and asked leave to set again at two o'clock.

On motion of Mr. Maxon,

Report adopted.

On motion of Mr. Hinkley,

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Tuesday, November 21, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxon, Maxwell, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh and Finkbonner.

The Speaker gave notice that he was about to sign the following:

H. B. 21—An act in relation to Territorial convicts.

H. B. No. 47—An act in relation to dogs.

H. J. M. No. 4—Praying for the retention of the garrison at Fort Colville.

H. J. M. 6—Praying for mail service from Port Townsend to Coupeville.

The House then went into committee of the Whole on

H. B. No. 121—An act establishing a common school system for the Territory of Washington,

Mr. Lasater in the chair.

At four o'clock, Mr. Lasater from committee of the whole House, reported the bill back with a number of amendments and recommended the adoption of the report.

On motion of Mr. Abbott,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, November 22, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cline, Cock, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McGonaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Mr. Ashpaugh.

Prayer by the Chaplain.

Journal of yesterday read and approved.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 22, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of the following:

C. B. No. 26—An act regulating taxes upon certain railroads.

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

Also the passage in the Council of the following:

C. B. No. 16—An act in relation to descent and distribution of property was taken up.

C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys.

Substitute to C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county, W. T., to erect gates on certain public roads.

Substitute for H. B. No. 26—An act to prevent stud horses, stud mules, jackasses or ridglings from running at large.

H. B. No. 54—An act concerning fences.

H. B. No. 65—An act in relation to Territorial auditor.

H. B. No. 80—An act to confirm titles to certain real estate in the city of Walla.

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

H. J. M. No. 8—Relative to tide lands of Olympia.

Also that the President has signed the following:

H. J. M. No. 3—Relative to thirteenth light house district.

C. B. No. 5—An act to extend and define the corporate limits of the city of Walla Walla.

H. B. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county.

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.

H. B. No. 57—An act to amend an act entitled "an act to incorporate the town of Seattle."

H. B. No. 88—An act in relation to licenses in the county of Clalm.

H. B. No. 93—An act to change the name of Mrs. Mary E. Fowler to that of Mrs. Mary E. Phelan,

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss.

H. B. No. 60—An act for the relief of I. V. Mossman.

ELWOOD EVANS,
Chief Clerk.

Mr. McConaha, of King, introduced

H. J. M. No. 12—Relative to tide flats on Elliott bay adjacent to town of Seattle, W. T.

Memorial read first time.

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent that fronting the

town of Seattle, on its southern side and partly within the corporate limits, are situate a series of tide flats, outside the meander lines of the United States land surveys; said flats being intersected by the channels of Duwamish river where it enters Elliot Bay; said tide flats are chiefly bare at low tide, as is more fully shown by the United States coast surveys, and are wholly in township 24 north, ranges three and four east of Willamette meridian.

These overflowed flats are a serious impediment to navigation, both of the Duwamish river and Elliot bay, they are of no value to the government, not being saleable as agricultural lands, the tides covering the whole twice in 24 hours to a depth of 10 feet or more.

Your memorialists therefore pray your honorable body to pass an act granting to the corporate authorities of the town of Seattle, and their successors in office, the said tide flats in township 24 north, ranges three and four east, or as much thereof as lies outside the limits of town plat of Seattle filed of record by D. S. Maynard, donation claimant, King county, W. T., and from meander line upon Elliot bay and the mouth of Duwamish river as far into Elliot bay as the authorities of the town of Seattle may require for purposes of commerce, conditioned upon the main channel of the Duwamish river being kept open for at least one hundred yards in width, for purposes of navigation.

On motion of Mr. Lasater,

The rules were suspended and the resolution was read second time.

On motion of Mr. Lasater,

The rules were further suspended, memorial read third time.

The question being "Shall the memorial pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Brazee, Coupe, Cock, Cline, Campbell, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Judson,

Kerns, Lasater, Maxwell, Maxon, McConaha, More, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—27.

Absent—Messrs. Ashpaugh, Brewer and Lloyd.

Memorial passed.

On motion of Mr. Hinkley,

The clerk was instructed to report the passage of the above to the Council.

Mr. Noyes, chairman of the committee on Elections, made the following report:

MR. SPEAKER—

Your committee on Elections, to whom was referred

H. B. No. 112—An act to amend an act entitled "an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Having had the same under consideration, report it back to the House and recommend its indefinite postponement.

C. J. NOYES,
Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. No. 116—An act to provide for a new seal for Washington Territory.

H. B. No. 120—An act to amend an act entitled "an act to provide for the assessing and collecting of county and Territorial revenue," approved Dec. 2, 1869.

H. B. No. 124—An act in relation to fees and costs.

Have had the same under consideration and have instructed me to report the same back without amendment and recommend their passage.

J. W. BRAZEE,
Chairman.

Mr. Brazee, from the committee on Ways and Means, made the following reports:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. J. R. No. 8—Resolution providing for the publication and distribution of certain laws in pamphlet form,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendment:

Strike out after the word "Territory," in line six, the balance of resolution and recommend its passage.

J. W. BRAZEE,
Chairman.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. B. No. 123—An act to repeal section 15 of an act approved Jan. 26, 1867, establishing a common school system.

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

Your committee to whom was referred

H. B. No. 78—An act to incorporate the young men's Christian association of Olympia.

Report the same back to the House without recommendation.

D. R. BIGELOW,
Chairman.

Mr. Finkbonner, from the committee on Roads and Highways, made the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

The petition of citizens of Lewis county, have had the same under consideration and report it back with a bill and recommend the passage of the bill.

C. C. FINKBONNER,
Chairman.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. B. No. 2—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue, approved Jan. 31, 1867;

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

D. R. BIGELOW,
Chairman.

Mr. Finkbonner, from the committee on Roads and Highways, made the following report:

MR. SPEAKER—

Your committee on Roads and Highways, to whom was referred

H. B. No. 90—An act to locate a Territorial road from the mouth of Mill creek, on the Willopa river, Pacific county, to intersect with the military road running from Monticello to Olympia,

Have instructed me to report said bill back and recommend its passage.

C. C. FINKBONNER,
Chairman.

Mr. Brazee, from the committee on Ways and Means, made the following reports:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

C. B. No. 20—An act for the relief of Al. Pettygrove.

C. B. No. 21—An act to amend an act entitled an act to provide for the election of county commissioners and defining their duties.

Have had the same under consideration and have instructed me to report the same back without amendment and recommend their passage.

J. W. BRAZEE,
Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

C. B. 19—An act for the relief of Huntington & Son,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendment:

Strike out all of section two and insert the following:

"The Territorial auditor is hereby authorized to draw a warrant in favor of James Huntington & Son, for the sum of nine hundred and seventy-four dollars and three cents, and the Territorial treasurer is hereby authorized to pay the same out of any money in the Territorial treasury not otherwise appropriated."

J. W. BRAZEE,
Chairman.

Mr. Lasater, from Select committee consisting of the delegation from Walla Walla county, made the following report:

MR. SPEAKER—

The House delegation from Walla Walla county, to whom was referred

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendment:

"*Provided,* That no estray shall be taken up from the fifteenth of April till the fifteenth of December, except breechy or vicious animals, which may be taken up in any month."

J. H. LASATER,
Chairman.

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 111—An act in relation to sales made by administrators and guardians,

Have had the same under consideration and have instructed me to report a substitute with the following title:

Substitute for H. B. 111—An act to cure the defects in certain conveyances and to declare them good and lawful deeds to the lands described therein:

Respectfully submitted,
GEO. N. McCONAHA,
Chairman.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 21, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

Sir—I have the honor to inform you that I have approved the following entitled bill:

H. B. No. 33—An act to amend an act entitled "an act to incorporate the town of Tumwater."

H. B. No. 27—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1867.

H. B. No. 24—An act to fix the time and place of holding the supreme and several district courts of Washington Territory.

H. B. No. 12—An act to divide the Territory into judicial districts.

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor of Washington Territory.

Message from the Governor by his private secretary, as follows:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 21, 1869.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of Legislative Assembly of Washington Territory:

SIR: I have the honor to submit to you a report of the county commissioners of Cowlitz county, of the funds appropriated by the Legislative Assembly by an act entitled "an act to appropriate certain taxes for a certain road and regulating the expenditures thereof."

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor Washington Territory.

Mr. Cock, chairman of committee on Military Affairs, made the following report:

MR. SPEAKER—

Your committee on Military Affairs, to whom was referred H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general,"

Have had the same under consideration, and have instructed me to report the same back to the House and recommend that it do not pass.

H. D. COCK,
Chairman.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

H. B. No. 97—An act to organize the county of Whitman,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

H. D. COCK,
Chairman.

Mr. Winans from the committee on Enrolled Bills, made the following report:

Your committee have compared and find correctly enrolled the following:

H. B. No. 73—An act authorizing the county commissioners of Kitsap county to transcribe the records of said county.

H. B. No. 92—An act relating to county auditors of Island and Snohomish counties.

H. B. No. 94—An act conferring certain powers on the board of commissioners of Chehalis county, W. T.

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Maxwell, of the committee on Corporations, made the following report:

The committee on Corporations, to whom was referred

H. B. No. 113—An act in relation to foreign corporations holding property or doing business in this Territory,

Have had the same under consideration, and report it back without amendment and recommend its passage.

G. W. MAXWELL,

Chairman.

Mr. Winans, from Select committee consisting of the delegation from Walla Walla and Stevens, submitted the following report:

MR. SPEAKER—

The Select committee composed of the delegations from Stevens and Walla Walla counties, to whom was referred

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county,

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend its passage.

W. P. WINANS,

Chairman.

Mr. McConaha, of King, introduced

H. B. No. 125—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties, approved December 2, 1867.

Bill read first time.

On motion of Mr. Lasater,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Campbell,

Now was assigned as the time for the third reading of the bill.

Bill read a third time.

The question being "Shall the bill now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cock, Cline, Finkbonner, Gray, Gosnell, Hinckley, Hovey, Judson, Kerns, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—28.

Absent—Messrs. Ashpaugh and Lloyd.

Bill passed and title agreed to.

Mr. Noyes, of Kitsap, introduced

H. B. No. 126—An act in relation to road tax in Kitsap county.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Kerns,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Bigelow, Barstow, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hinkley, Hovey, Judson, Kerns, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone and Mr. Speaker—24.

Messrs. Brazee, Brewer, Gosnell, Lloyd and Winans.

Absent—Mr. Ashpaugh.

Mr. Maxon, of Clarke, introduced

H. B. No. 127—An act to pay the expenses of the joint committee to visit the Territorial university.

Bill read first time.

No objection being made, the bill was read second time by title.

Mr. Bigelow moved that bill be referred to committee on Ways and Means.

Mr. Campbell moved an amendment to suspend the rules and bill be read third time.

Amendment lost.

Original motion lost.

On motion of Mr. Lasater,

Now was assigned as the time for the third reading of the bill.

Bill read a third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Bigelow, Brewer, Barstow, Campbell, Cock, Coupe, Cline, Gray, Gosnell, Hovey, Lloyd, Maxon, Moore, McConaha, Noyes, Ping, Scott, Sinclair and Mr. Speaker—22.

Messrs. Finkbonner, Hinkley, Judson, Kerns, Lasater, Winans and Whetstone.

Absent—Mr. Ashpaugh

Bill passed and title agreed to.

Mr. Maxon, of Clarke, introduced

H. B. No. 128—An act in relation to liquors.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Campbell,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Brazee, Bigelow, Brewer, Cock, Campbell, Coupe, Gray, Kerns, Lasater, Maxwell, Maxon, Ping and Sinclair—13.

Those voting in the negative were

Messrs. Abbott, Barstow, Cline, Finkbonner, Gosnell, Hovey, Hinckley, Judson, Lloyd, Moore, McConaha, Noyes, Scott, Whetstone and Mr. Speaker—16.

Absent—Mr. Ashpaugh.

Bill passed and title agreed to.

Mr. Hovey, of Kitsap, introduced

H. B. No. 129—An act for the relief of Henry L. Sutton.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Bigelow,

Referred to committee on Ways and Means.

Mr. Lasater, of Walla Walla, introduced

H. B. No. 130—An act to divorce Wm. Chilson from Virginia Chilson.

Bill read first time.

H. B. No. 114—An act to amend an act establishing a common school system for the Territory of Washington.

Bill read third time.

On motion of Mr. Lasater,

Laid on the table subject to the call of the House.

H. B. No. 121—An act establishing a common school system for the Territory of Washington.

Bill read third time.

Mr. Judson moved to amend the bill in line one, chapter six, by striking out the word "parent."

Motion lost.

Mr. Noyes moved to strike out the word "eighteen" and insert "sixteen" in line three, section one, chapter six.

Mr. Judson moved an amendment to the amendment to the motion that "fourteen" be inserted instead of "eighteen."

Amendment lost.

Original motion carried.

Mr. Bigelow offered the following amendment to the bill:

Add to section 17, in chapter four, the words "Twelve weeks shall be a quarter."

Amendment adopted.

Mr. Whetstone offered the following:

Add section 33 to chapter five, "A three months school taught under the provisions of this act shall be twelve weeks, and be taught six days in each week.

Amendment adopted.

Mr. Noyes moved to amend by adding five days.

Amendment adopted.

Mr. Lasater moved to strike out "twelve" and insert "eleven" in the amendment so as to read "eleven weeks."

Motion lost.

Mr. Judson moved to amend in line two, section two, chapter two, by striking out "four" and insert "three" so as to read "three mills."

Motion lost.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Brewer, Cock, Coupe, Cline, Campbell, Gray, Gosnell, Hovey, Judson, Kerns, Lasater, Max-

well, Maxon, McConaha, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—23.

Those voting in the negative were—

Messrs. Bigelow, Hinkley, Lloyd, Moore, Noyes and Ping—4.

Absent—Messrs. Ashpaugh and Finkbonner.

Bill passed and title agreed to.

On motion of Mr. Campbell,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Wednesday, November 22, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cline, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Cock and Lasater.

Mr. Kerns, delegate from Clarke county, reported on

H. B. No. 49—An act to amend "an act entitled an act to authorize a special tax in the county of Clarke,"

By substitute with the following title:

Substitute for H. B. No. 49—An act to amend an act entitled "an act authorizing a special tax for the county of Clarke to

pay the indebtedness of said county," approved October 30, 1869.

On motion of Mr. Hinkley,

The report of the committee was adopted.

Bill read third time.

The question being "Shall the substitute to the bill now pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Brazee, Brewer, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Judson, Kerns, Lloyd, Maxwell, Maxon, McConaha, More, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—27.

Absent—Messrs. Ashpaugh, Cock and Lasater.

Bill passed and title agreed to.

Report of committee on

H B. No. 64—An act in relation to Territorial treasurer.

On motion of Mr. Winans,

Report of committee was adopted.

On motion of Mr. Judson,

Bill read third time.

The question recurring on the passage of bill as amended, bill unanimously passed and title was agreed to.

Report of committee on

H. B. No. 87—An act entitled "an act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound and all American waters pertaining thereto.

On motion of Mr. Lasater,

Bill read third time.

Mr. Cline moved that the bill be made a special order for 11 o'clock to-morrow.

Mr. Noyes moved an amendment that the bill be indefinitely postponed.

Amendment lost.

Original motion carried.

Report of committee on

H. J. M. No. 10—Relative to mail service from Seattle to Bellingham Bay.

On motion of Mr. Winans,

The report of the committee was adopted.

The question being "Shall the memorial pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Bigelow, Brewer, Barstow, Campbell, Coupe, Cline, Finkbonner, Gosnell, Gray, Hovey, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, Moore, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—26.

Absent—Messrs. Ashpaugh, Cock, Hinckley and McConaha.

Memorial passed.

Report of committee on

H. J. M. No. 9—Relative to light houses in Washington Territory.

On motion of Mr. Noyes,

The report of the committee was adopted.

The question being "Shall the memorial pass?" the ayes and noes were demanded with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Judson, Kerns, Lasater, Lloyd, Maxon, Maxwell, McConaha, Noyes, Ping, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—26.

Absent—Mesrs. Ashpaugh, Cock, Hinkley and More.

Memorial passed.

Report of committee on

H. B. No. 71—An act to amend an act entitled an act authoring the settlement of estates of persons dying intestate without administration.

On motion of Mr. Noyes,

The report of the committee was adopted.

On motion of Mr. Bigelow,

Bill read a third time.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

Report of committee on

H. B. No. 50—An act relating to costs incurred in criminal prosecutions, for offences committed on islands held under joint occupation of the United States and Great Britain.

On motion of Mr. Winans,

The report of the committee was adopted.

Report of committee on

H. B. No. 63—An act to amend an act creating the office of Territorial treasurer.

On motion of Mr. Maxon,

The report of the committee was adopted.

Majority and minority reports on

H. B. No. 106—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Mr. Lasater moved that the minority report recommending the passage of the bill, be adopted.

Upon which motion the ayes and nays were demanded with the following result:

Those voting in the affirmative were—

Messrs. Gosnell, Hinkley, Judson, Lasater, Lloyd, Moore, McConaha, Noyes, Ping, Scott, Whetstone and Mr. Speaker—12.

Those voting in the negative were

Messrs. Abbott, Brazee, Bigelow, Brewer, Barstow, Campbell, Cock, Coupe, Cline, Finkbonner, Gray, Hovey, Kerns, Maxon, Sinclair and Winans.

Absent—Mr. Ashpaugh.

Motion lost.

On motion of Mr. Kerns,

The majority report, recommending that the bill do not pass, was adopted.

Report of committee of Ways and Means on petition of citizens of Lewis county, was taken up.

On motion of Mr. Noyes,

The report of the committee was adopted.

Report of committee on

H. B. No. 110—An act to regulate interest on money and the prevention of usury.

On motion of Mr. Cline,

The report of the committee was adopted.

By consent of the House of Representatives,

Mr. Lasater, of Walla Walla, introduced

H. S. for C. B. No. 9 and H. B. No. 20—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

On motion of Mr. Lasater,

The substitute was adopted.

Bill read first time.

No objection being made, bill read a second time now, by title.

Report of committee on

C. B. No. 12—An act to regulate marriage.

On motion of Mr. Campbell,

The report of the committee was adopted.

On motion of Mr. Abbott,

Bill read a third time.

Mr. More offered the following amendment to the bill:

Insert in section two, after line four, "When either of the parties is a white person and the other a negro or Indian, or a person of one-half or more negro or Indian blood.

Motion to amend lost.

Mr. Campbell moved to amend by striking out all after the enacting clause.

On motion of Mr. Lasater,

The bill was indefinitely postponed.

Report of committee on

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla.

On motion of Mr. Lasater,

The report of the committee was adopted.

On motion of Mr. Lasater,

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cock, Cline, Gray, Gosnell, Hinckley, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—26.

Absent—Messrs. Ashpaugh Finkbonner, Hovey and Judson.

So the bill passed and the title agreed to.

Report of committee on

H. B. No. 84—An act to amend an act entitled "an act to incorporate the city of Port Townsend, Jefferson county, W. T.," passed January 16th, 1860, and all subsequent acts amendatory thereto.

On motion of Mr. Coupe,

The report of the committee was adopted.

On motion of Mr. Hovey,

Bill read third time.

The question being "Shall the bill now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Cline, Gray, Hinkley, Kerns, Lasater, Lloyd, More, McConaha, Maxon, Maxwell, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—25.

Absent—Messrs. Ashpaugh, Finkbonner, Gosnell, Hovey and Judson.

Bill passed and title agreed to.

Report of committee on

H. B. No. 112—An act to amend an act entitled "an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

On motion of Mr. Sinclair,

Report was not adopted.

Mr. Lasater moved to strike out "six" and insert "twelve."

Mr. Noyes moved to amend the amendment by inserting "21 years."

Amendment to the amendment lost.

Original amendment carried.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Cock, Cline, Gray, Gosnell, Hinkley, Judson, Lasater, Lloyd, Maxwell, More, Ping, Scott, Whetstone and Mr. Speaker—16.

Those voting in the negative were

Messrs. Brewer, Bigelow, Barstow, Campbell, Coupe, Kerns, Maxon, McConaha, Noyes and Sinclair.

Absent—Messrs. Ashpaugh, Finkbonner, Hovey and Winans.

So the bill passed.

Majority and minority reports on

H. B. No. 115—An act to further define the duties of officers conducting elections.

Mr. Coupe moved that the minority report, recommending its passage, be adopted.

On this motion the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs Abbott, Brazee, Bigelow, Cock, Coupe, Cline, Hinkley,

Kerns, Maxwell, Maxon, Sinclair, Winans and Mr. Speaker—13.

Those voting in the negative were—

Messrs. Barstow, Brewer, Campbell, Gray, Gosnell, Judson, Lasater, Lloyd, Moore, McConaha, Noyes, Ping, Scott, Whetstone—14.

Absent—Messrs. Ashpaugh, Finkbonner and Hovey.

Motion lost.

Mr. McConaha moved that the bill and report be indefinitely postponed.

On this motion the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Brewer, Barstow, Campbell, Gray, Gosnell, Judson, Lasater, Lloyd, More, McConaha, Noyes, Ping, Scott and Whetstone—14.

Those voting in the negative were

Messrs. Abbott, Brazee, Bigelow, Cock, Cline, Coupe, Hinkley, Kerns, Maxwell, Maxon, Sinclair, Winans and Mr. Speaker—13.

Absent—Messrs. Ashpaugh, Finkbonner and Hovey.

Report of committee on

H. B. No. 91—An act in relation to stock marks.

On motion of Mr. Kerns,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Brazee, Barstow, Brewer, Bigelow, Cock, Coupe, Cline, Campbell, Gray, Gosnell, Hinkley, Judson, Kerns, McConaha, Maxon, Moore, Noyes, Sinclair, Whetstone and Mr. Speaker—20.

Those voting in the negative were—

Messrs. Abbott, Lasater, Lloyd, Maxwell, Ping, Scott and Winans—7.

Absent—Messrs. Ashpaugh, Finkbonner and Hovey.

Bill passed and title agreed to.

Report of committee on

H. B. No. 108—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1869.

On motion of Mr. Winans,

Report of the committee was adopted.

Mr. Judson offered an amendment that this act shall not apply to Mason, Island and Pacific counties.

Motion carried.

The question recurring on the passage of bill as amended, bill unanimously passed and title was agreed to.

Report of committee on

H. J. M. No. 6—Praying for mail service from Port Townsend to Coupeville, *via* Ebey's landing.

On motion of Mr. Cock,

The report of the committee was adopted.

Report of committee on

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

On motion of Mr. Winans,

The report of the committee was adopted.

On motion of Mr. Lasater,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATVIES,
Thursday, November 23, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Cline, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—29.

Absent—Mr. Ashpaugh.

Prayer by the Chaplain.

Journal of yesterday read and approved.

On motion of Mr. Winans,

The rules were suspended and bills and other business from the Council taken up.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 23, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of the following:

C. B. 28—An act for the relief of Mrs. Giles Ford.

C. B. No. 29—An act to amend an act entitled "an act to provide for the appointment of commissioners of deeds, passed Jan. 19, 1863.

C. B. No. 30—An act authorizing the Territorial auditor to cancel certain delinquent Territorial tax charged against Mason county.

Also the passage in the Council of the following:

C. B. No. 28—An act for the relief of Mrs. Giles Ford.

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

H. J. M. No. 12—Relative to tide flats on Elliott bay adjacent to town of Seattle, W. T.

Also, that the Council has refused to pass

H. B. No. 86—An act relative to grand and petit jurors and prescribing the manner of drawing the same for the counties of Pierce, Pacific, Stevens and Yakima.

That the President has appointed Messrs. Calhoun, Joslyn and McReavy on the part of the Council, to confer with a committee from the House on the disagreement between the two Houses on

H. B. 48—An act in relation to poisons.

Also, that the President of the Council has signed the following:

H. B. No. 47—An act in relation to dogs.

H. B. No. 21—An act in relation to Territorial convicts.

H. J. M. No. 4—Praying for the retention of the garrison at Fort Colville.

H. J. M. 6—Praying for mail service from Port Townsend to Coupeville.

ELWOOD EVANS,
Chief Clerk.

The following bills, &c., having passed the Council without amendment, were referred to enrolling committee:

H. B. No. 80—An act to confirm titles to certain real estate in the city of Walla.

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

H. B. No. 58—An act to amend an act entitled "an act to regulate the practice in civil actions."

H. B. No. 65—An act in relation to Territorial auditor.

H. B. No. 54—An act concerning fences.

H. J. M. 8—Relative to the tide lands of Olympia.

H. J. M. No. 12—Relative to the tide flats on Elliott bay adjacent to town of Seattle, W. T.

C. B. No. 16—An act in relation to descent and distribution of property.

On motion of Mr. Lasater,

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Judson,

Referred to Committee on Judiciary.

C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys.

Bill read first time.

On motion of Mr. Judson,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Noyes,

Referred to committee on Corporations.

C. B. No. 23—An act in relation to private seals.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Cline,

Referred to committee on printing.

C. B. No. 28—An act for the relief of Mrs. Giles Ford.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Lasater,

Referred to committee on Ways and Means.

Substitute for H. B. No. 26—An act to prevent stud horses, stud mules, jackasses or ridglings from running at large.

On motion of Mr. Cock,

The House concurred in the amendment of the Council thereto.

Mr. Hinckley presented a petition from the citizens of King county, asking that licenses on liquor selling be not reduced.

On motion of Mr. Hinkley,

Referred to committee on Education.

Mr. Brazee, from the committee on Ways and Means, made the following reports:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. 102—An act relative to killing certain animals,

Have had the same under consideration and have instructed me to report a substitute with the following title:

Substitute for H. B. No. 102—An act to allow a bounty for killing wild animals.

J. W. BRAZEE,
Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

C. B. No. 2—An act for the appointment of a resident physician for the insane asylum and prescribing his duties,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendments:

Strike out of section one, line two, all after the word "Governor."

Also strike out sections 2, 3, 4, 5, 6 and 7, and insert the annexed sections.

J. W. BRAZEE,
Chairman.

Mr. Hovey, chairman of the committee on Commerce, made the following report:

MR. SPEAKER—

The committee on Commerce, to whom was referred

H. B. No. 118—An act creating a board of pilot commissioners and pilots on Columbia river and bar,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendments:

That the words "Knappton" be inserted after the word "Astoria" in line one of section three.

Strike out the word "ten," in line two of section three, and insert in lieu thereof the word "eight."

The word "twelve" in line two of section three be stricken out and "ten" be inserted in lieu thereof.

The words "or Knappton" be inserted after the word "Astoria," in line three of section three.

The word "ten" in line four of section three, be stricken out and the word "eight" be inserted in lieu thereof.

S. W. HOVEY,
Chairman.

Mr. Brazee, of Skamania, introduced

H. B. No. 133—An act to provide for the assessing and collecting of county and Territorial revenue.

Bill read first time.

Mr. Winans, of Stevens, introduced

H. B. No. 134—An act in relation to licenses.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Winans,

Referred to committee on Education.

Mr. Bigelow, of Thurston, introduced

H. B. No. 135—An act to amend the apportionment law of the Territory.

Bill read first time.

On motion of Mr. Hovey,

H. B. No. 87—An act to establish pilots and pilot regulations for Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto,

Was taken from the table.

On motion of Mr. Cline,

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Brazee, Barstow, Campbell, Coupe, Cline, Gosnell, Gray, Hinckley, Judson, Lasater, Lloyd, Maxwell, Moore, Ping, Scott and Whetstone—16.

Those voting in the affirmative were

Messrs. Abbott, Bigelow, Brewer, Cock, Hovey, Kerns, Maxon, McConaha, Noyes, Sinclair, Winans and Mr. Speaker.

Absent—Mr. Ashpaugh.

Mr. Finkbonner was excused.

So the bill passed and the title agreed to.

On motion of Mr. Noyes,

The clerk was instructed to report to the Council forthwith, the passage of

H. B. No. 87—An act entitled "an act to establish pilots and pilotage on Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto."

Mr. Kerns, of Walla Walla, introduced

H. B. No. 136—An act to amend an act entitled "an act to regulate suits for divorce and alimony."

Bill read first time.

No objections being made, bill read second time by title, and

Mr. Judson moved that rules be suspended and bill be read third time, now.

Amendment by Mr. Cock that bill be referred to committee on Judiciary.

Amendment carried.

Mr. Lasater moved that the vote on the passage of

H. B. No. 115—An act to further define the duties of officers conducting elections, be reconsidered.

Upon which motion the ayes and nays were demanded with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Bigelow, Cock, Coupe, Cline, Kerns, Maxon, Maxwell, Sinclair, Winans and Mr. Speaker—12.

Those voting in the negative were

Messrs. Barstow, Brewer, Campbell, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Lasater, Lloyd, More, McConaha, Noyes, Ping, Scott and Whetstone—17.

Absent—Mr. Ashpaugh.

Motion lost.

Mr. Cock moved that the House reconsider the vote on the passage of

H. B. No. 112—An act to amend an act entitled "an act to amend an act entitled an act relating to elections and the mode of supplying vacancies.

Motion carried.

Mr. Winans called for the previous question.

Question being "Shall the bill be reconsidered?" the following is the vote:

Messrs. Abbott, Brazee, Cline, Gray, Gosnell, Hinkley, Judson, Lasater, Lloyd, Moore, Ping, Scott and Whetstone—13.

Those voting in the negative were

Messrs. Bigelow, Brewer, Barstow, Campbell, Cock, Coupe, Finkbonner, Hovey, Kerns, Maxwell, Maxon, McConaha, Noyes, Sinclair, Winans and Mr. Speaker—16.

Absent—Mr. Ashpaugh

Motion lost.

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

On motion of Mr. Bigelow,

Bill read third time.

The question being "Shall the bill now pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Barstow, Bigelow, Brazee, Brewer, Campbell, Coupe, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Kerns, Lasater, Maxwell, Maxon, Noyes, Scott, Sinclair, Whetstone, Winans and Mr. Speaker—23.

Those voting in the negative were

Messrs. Cline, Cock, Judson, Lloyd, McConaha, More and Ping—7.

Absent—Mr. Ashpaugh.

Bill passed and title agreed to.

On motion of Mr. Noyes,

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Thursday, November 22, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lloyd, Lasater, Maxon, Maxwell, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Mr. Ashpaugh.

Report of committee on

H. B. No. 116—An act to provide for a new seal for Washington Territory.

On motion of Mr. Coupe,

The report of the committee was adopted.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

Report of committee on

H. B. No. 120—An act to amend an act entitled "an act to provide for the assessing and collecting of county and Territorial revenue," approved Dec. 2, 1869.

On motion of Mr. Campbell,

The report of the committee was adopted.

On motion of Mr. Bigelow,

The bill was laid upon the table.

Report of committee on

H. B. No. 124—An act in relation to fees and costs.

Bill read third time.

On motion of Mr. Kerns,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Coupe, Cock, Cline, Finkbonner, Gray, Hovey, Judson, Kerns, Lasater, Lloyd, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair and Whetstone—25.

Those voting in the negative were

Messrs. Gosnell, Winans and Mr. Speaker—3.

Absent—Messrs. Ashpaugh and Hinckley.

Report of committee on

H. J. R. No. 8—Resolution providing for the publication and distribution of certain laws in pamphlet form.

On motion of Mr. Brazee,

The report of the committee was adopted.

The question being "Shall the resolution pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Judson, Kerns, Lasater, Lloyd, More, McConaha, Maxon, Maxwell, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—28.

Absent—Messrs. Ashpaugh and Hinkley.

So the resolution passed.

Report of committee on

C. B. No. 20—An act for the relief of Al. Pettygrove.

On motion of Mr. Lasater,

Report of committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Hovey, Judson, Kerns, Lasater, Lloyd, Maxwell, Moore, Noyes, McGonaha, More, Maxon, Ping, Sinclair, Scott, Whetstone, Winans and Mr. Speaker—27.

Absent—Messrs. Ashpaugh and Hinkley.

Report of committee on

C. B. No. 21—An act to amend an act entitled an act to provide for the election of county commissioners and defining their duties.

On motion of Mr. Sinclair,

Bill read third time.

On motion of Mr. Campbell,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Bigelow, Brewer, Brazee, Barstow, Campbell, Cock, Coupe, Cline, Finkbonner, Gosnell, Gray, Hinckley, Hovey, Judson, Kerns, Lasater, Lloyd, Maxon, McConaha, Maxwell, Moore, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—27.

Absent—Mr. Ashpaugh.

So the bill passed.

Report of committee on

C. B. No. 19—An act for the relief of James Huntington & Son.

Bill read a third time.

On motion of Mr. Maxon,

The report of the committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Brewer, Barstow, Brazee, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Hinkley, Hovey, Judson, Kerns, Lloyd, More, McConaha, Maxwell, Maxon, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—26.

Those voting in the negative were

Messrs. Abbott and Lasater—2.

Absent—Mr. Ashpaugh.

Report of committee on

C. B. No. 2—An act providing for the appointment of a resident physician for the insane asylum and prescribing his duties.

On motion of Mr. Bigelow,

The report of the committee was adopted.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs Abbott, Brazee, Bigelow, Barstow, Brewer, Campbell, Cock, Finkbonner, Gray, Gosnell, Hovey, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, Noyes, Ping, Scott, Sinclair and Winans—22.

Those voting in the negative were—

Messrs. Cline, Coupe, Hinkley, Moore, McConaha, Whetstone and Mr. Speaker—7.

Absent—Mr. Ashpaugh.

Bill passed and title agreed to.

Report of committee on

H. B. No. 123—An act to repeal section 15 of an act approved Jan. 26, 1867, establishing a common school system.

Bill read third time.

On motion of Mr. Cline,

The report of the committee was adopted.

On the final passage of the bill the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Bigelow, Brewer, Gray, Judson, Kerns, Lasater, Lloyd, Maxwell, Ping, Scott and Whetstone—11.

Those voting in the negative were—

Messrs. Abbott, Barstow, Brazee, Coupe, Cline, Campbell, Cock, Finkbonner, Gosnell, Hovey, Hinkley, Maxon, Moore, McConaha, Noyes, Sinclair, Winans and Mr. Speaker.

Absent—Mr. Ashpaugh.

Report of committee on

H. B. No. 78—An act to incorporate the young men's Christian association of Olympia.

Mr. Judson moved to amend by striking out preamble in the bill.

Mr. Winans moved to strike out the word "Evangelical," in line two, article three.

Motion carried.

The question being "Shall the bill as amended, pass?" it was passed and title agreed to.

On motion of Mr. Gosnell,

The vote on the passage of the bill was reconsidered.

Mr. Maxon moved to amend by striking out the word "church."

Mr. Winans offered an amendment to the amendment to lay on the table.

Mr. Lasater offered a further amendment to indefinitely postpone.

Amendment to indefinitely postpone carried.

Report of committee on

H. B. No. 2—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue, approved Jan. 31, 1867.

Bill read third time.

On motion of Mr. Kerns,

The report of the committee was adopted.

The question being "Shall the bill as amended, pass?" the bill was passed and title agreed to.

Report of committee on

Substitute for H. B. 111—An act to cure the defects in certain conveyances and to declare them good and lawful deeds to the lands described therein.

On motion of Mr. Winans,

Report of the committee was adopted.

The question being "Shall the bill pass?" it was passed and title agreed to.

Report of committee on

H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general."

Mr. Winans moved that the report be adopted.

Motion lost.

Bill read third time.

The question being "Shall the bill pass?" it was passed and title agreed to.

Report of committee on

H. B. No. 97—An act to organize the county of Whitman.

On motion of Mr. Noyes,

The report of the committee was adopted.

Read third time by title, passed and title agreed to.

Report of committee on

H. B. No. 89—An act to make valid the location of the Territorial road from Boisfort prairie, in Lewis county, intersecting the military road at a point above Henry Jackson's in Cowlitz county.

On motion of Mr. Lasater,

The report of the committee was adopted.

Bill read third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

Report of committee on

H. B. No. 90—An act to locate a Territorial road from the mouth of Mill creek, on the Willopa river, Pacific county, to intersect with the military road running from Monticello to Olympia.

On motion of Mr. Winans,

The report of the committee was adopted.

Bill read a third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

Report of committee on

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

On motion of Mr. Lasater,

The report of the committee was adopted.

Bill read third time.

The question being on the final passage of the bill it was passed and title agreed to.

H. B. No. 130—An act to divorce Wm. Chilson from Virginia Chilson.

Bill read a second time.

On motion of Mr. Lasater,

A committee of five was appointed to consider the bill.

The Speaker appointed Messrs. Judson, Hinckley, Noyes, Maxon, and Whetstone.

Report of committee on

H. B. 102—An act relative to killing certain animals.

On motion of Mr. Cock,

Report adopted.

Question being on the passage of the bill it was passed and title agreed to.

Report of committee on

H. B. No. 113—An act in relation to foreign corporations holding property or doing business in this Territory.

On motion of Mr. Maxon.

The report of the committee was adopted.

Bill read third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

Report of committee on

H. B. No. 118—An act creating a board of pilot commissioners and pilots on the Columbia river and bar.

On motion of Mr. Cline,

The report of the committee was adopted.

Bill read a third time.

Question being on the passage of the bill it was unanimously passed and title agreed to.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 80—An act to confirm titles to certain real estate in the city of Walla.

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

H. B. No. 58—An act to amend an act entitled "an act to regulate the practice in civil actions."

H. B. No. 65—An act in relation to Territorial auditor.

H. B. No. 54—An act concerning fences.

H. J. M. 8—Relative to the tide lands of Olympia.

H. J. M. No. 12—Relative to the tide flats on Elliott bay adjacent to town of Seattle, W. T.

Respectfully submitted,

WM. P. WINANS,

Chairman.

The Select committee of nine to whom was referred H. B. No. 38, made the following report:

MR. SPEAKER—

Your Select committee of nine members of the House, to whom was referred

H. B. No. 38—An act to assign the district judges to the several judicial districts,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendments:

Strike out of line one, section one, the words "R. S. Green," and insert in place thereof the words "O. Jacobs."

Strike out of line one, section two, the words "James K. Kennedy" and insert "R. S. Green."

Strike out of line one, section three, the words "O. Jacobs" and insert "James K. Kennedy."

H. D. COCK,

Chairman.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 23, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

Sir—I have the honor to inform you that I have approved the following entitled bill:

H. B. No. 83—An act to dissolve the bonds of matrimony heretofore existing between William P. Smith and Eliza, his wife.

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor of Washington Territory.

On motion of Mr. Cock,

House adjourned until to-morrow morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Friday, November 24, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Cline, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley,

Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—29.

Absent—Mr. Ashpaugh.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred H. B. No. 134—An act in relation to licenses,

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

D. R. BIGELOW,
Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 104—An act to protect the Territorial capitol from fire,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

J. W. BRAZEE,
Chairman.

Mr. Maxwell, of the committee on Corporations, made the following report:

MR. SPEAKER—

The committee on Corporations, to whom was referred C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys,

Have had the same under consideration and have instructed

me to report it back to the House and recommend that it do not pass.

G. W. MAXWELL,
Chairman.

Mr. Cock, from Select committee, submitted the following report:

MR. SPEAKER—

Your committee to whom was referred

H. B. 130—An act to divorce Wm. Chilson from Virginia Chilson,

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend its passage.

H. D. COCK,
Chairman.

Mr. Hovey submitted the following report:

MR. SPEAKER—

The undersigned, minority of the Select committee to whom was referred

H. B. No. 38—An act to assign the District Judges to the several Judicial Districts,

Have had the same under consideration, and report the same back to the House and recommend that it do not pass.

S. W. HOVEY.
STEPHEN JUDSON.

Mr. Hovey, from Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap, Snohomish and Jefferson,

Have had the same under consideration, and report it back without amendment and recommend its passage.

S. W. HOVEY,
Chairman.

On motion of Mr. Ping,

Mr. Lloyd was excused from attendance during the remainder of the session.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 24, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of the following:

C. B. No. 31—An act to amend an act entitled "an act relating to county assessors.

C. B. No. 32—An act for the relief of Snohomish county.

Also the passage in the Council of the following:

C. B. No. 26—An act regulating taxes on railroads.

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

C. B. No. 29—An act to amend an act entitled "an act to provide for the appointment of commissioners of deeds, passed Jan. 19, 1863.

C. B. No. 30—An act authorizing the Territorial auditor to cancel certain delinquent Territorial tax charged against Mason county.

C. B. No. 31—An act to amend an act relating to county assessors.

H. B. No. 40—An act in relation to the sheriffs of Pacific, Yakima, Kitsap, Skamania, Whatcom, Snohomish, Clalm and Stevens counties.

H. B. No. 59—An act to transfer certain Territorial funds into the county treasury of Stevens county.

H. B. No. 72—An act for the relief of the sheriff of Thurston county.

H. B. No. 100—An act to amend an act entitled "an act relating to county assessors."

H. B. No. 87—An act entitled "an act to establish pilots and

pilotage on Juan de Fuca Straits, Puget Sound, and all American waters pertaining thereto."

ELWOOD EVANS,
Chief Clerk.

Mr. Cock, of Yakima, introduced

H. J. R. No. 8—Resolution providing for the publication and distribution of certain laws in pamphlet form.

Resolution read first time.

On motion of Mr. More,

The rules were suspended, resolution read a second time by title.

On motion of Mr. Cock,

The rules were further suspended and the resolution was read third time.

The question being "Shall the resolution pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Bigelow, Barstow, Brewer, Campbell, Cock, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Kerns, Lasater, More, Maxon, Maxwell, Noyes, Ping, Scott, Sinclair, Winans and Mr. Speaker—24.

Absent—Messrs. Ashpaugh, Hinkley, Judson, Lloyd, McConaha and Whetstone—6.

So the resolution passed.

Mr. Noyes, of Kitsap, introduced

H. B. No. 138—An act in relation to female suffrage.

Bill read first time.

Mr. More moved that rules be suspended and bill be read a second time.

Motion lost.

H. B. No. 135—An act to amend the apportionment law of the Territory.

Bill read second time.

On motion of Mr. Judson,

Referred to the delegations from Thurston, Mason, Chehalis, Pierce, King, Clarke and Skamania counties.

H. S. for C. B. No. 9 and H. B. No. 20—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

Bill read third time.

On motion of Mr. Lasater,

Laid on the table.

On motion of Mr. Lasater,

A call of the House was ordered.

Upon calling the roll, the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Maxon, Maxwell, McConaha, More, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh and Lloyd.

H. B. 38—An act to assign the district judges to the several judicial districts,

With majority and minority reports thereon, from Select committee, was taken up.

On motion of Mr. Lasater,

The majority report of the committee was adopted.

Bill read a third time.

The question being "Shall the bill pass?" it was passed and title agreed to.

On motion of Mr. Lasater,

The clerk was instructed to report the passage of the above to the Council.

By request of Mr. Scott the House granted him leave of absence for six days.

Report of committee on

H. B. No. 134—An act in relation to licenses.

On motion of Mr. Coupe,

The report of the committee was adopted.

Mr. Judson moved that bill be referred to committee on Judiciary.

Amended by Mr. Brazee to recommit to committee on Education.

Amendment carried.

On motion of Mr. Noyes,

Mr. Whetstone was appointed to fill the place of Mr. Lloyd on committee on Education.

Report of committee on

H. B. No. 104—An act to protect the capitol from fire.

On motion of Mr. Winans,

The report of the committee was adopted.

Bill read third time.

The question being "Shall the bill as amended, pass?" the bill was passed and title agreed to.

On motion of Mr. Ping,

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Friday, November 24, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Maxwell, Moore, Noyes, McConaha, More, Maxon, Ping, Sinclair, Scott, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh and Lloyd.

On motion of Mr. Lasater,

House took up

H. B. No. 20—Substitute for C. B. No, 9, an act to amend an act entitled "an act to regulate the practice and proceedings in civil actions."

On motion of Mr. Judson,

In line fifteen, page two, the word "ten" was stricken out and "twenty" inserted.

On motion of Mr. Winans,

In line seventeen the word "twenty" was stricken out and "thirty" inserted.

Mr. Lasater moved that the vote on the amendment to strike out 40 and insert 60 be reconsidered, pending which,

Mr. Winans called for the previous question.

Mr. Judson moved that the following be inserted in line eight, page four, after the word "complete:" "Twenty days after the last day of publication."

Amendment adopted.

The question being "Shall the bill pass?" it was passed and title agreed to.

Report of committee on

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap and Jefferson.

On motion of Mr. Cline,

The report of the committee was adopted.

Bill read third time.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

Report of committee on

C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys.

On motion of Mr. Kerns,

Report of committee was adopted.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs Abbott, Brazee, Bigelow, Brewer, Campbell, Cock, Cline, Coupe, Finkbonner, Gray, Hovey, Hinkley, Maxwell, Maxon, McConaha, Noyes and Sinclair—17.

Those voting in the negative were—

Messrs. Gosnell, Judson, Kerns, Lasater, Moore, Ping, Scott, Winans, Whetstone and Mr. Speaker—11.

Absent—Messrs. Ashpaugh, Barstow and Lloyd.

Report of committee on

H. B. No. 130—An act to divorce Wm. Chilson from Virginia Chilson.

Mr. Cline moved that the report be adopted.

Motion lost.

The question being "Shall the bill pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Cock, Cline, Hinkley, Lasater, Maxon, Noyes and Mr. Speaker—7.

Those voting in the negative were—

Messrs. Abbott, Barstow, Brazee, Bigelow, Brewer, Campbell, Coupe, Finkbonner, Gosnell, Gray, Hovey, Judson, Kerns, Maxwell, Moore, McConaha, Ping, Scott, Sinclair, Winans and Whetstone—21.

Absent—Messrs. Ashpaugh and Lloyd.

So the bill was lost.

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

Bill read first time.

On motion of Mr. Hinkley,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Lasater,

Referred to Committee on Counties.

C. B. No. 26—An act regulating taxes upon certain railroads.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Winans,

Referred to committee on Ways and Means.

C. B. No. 29—An act to amend an act entitled an act to provide for the appointment of commissioners of deeds.

Bill read first time.

No objections being made, the bill was read a second time by title, and

On motion of Mr. Hinkley,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

C. B. No. 30—An act authorizing the Territorial auditor to cancel certain delinquent Territorial tax charged against Mason county.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Bigelow,

The bill was referred to committee on Ways and Means.

C. B. 31—An act to amend an act entitled "an act relating to county assessors.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Bigelow,

Referred to committee on Ways and Means.

On motion of Mr. Campbell,

The Speaker gave notice that he was about to sign the following:

H. B. No. 80—An act to confirm titles to certain real estate in the city of Walla.

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

H. B. No. 58—An act to amend an act entitled "an act to regulate the practice in civil actions."

H. B. No. 65—An act in relation to Territorial auditor.

H. B. No. 54—An act concerning fences.

H. J. M. 8—Relative to the tide lands of Olympia.

H. J. M. No. 12—Relative to the tide flats on Elliott bay adjacent to town of Seattle, W. T.

On motion of Mr. Winans,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Saturday, November 25, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Cline, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinckley, Judson, Kerns, Lloyd, Lasater, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—29.

Absent—Mr. Ashpaugh.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

Substitute for H. B. No. 26—An act entitled an act to prevent certain animals running at large in certain counties.

Substitute to C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county, W. T., to erect gates on certain public roads.

H. B. No. 94—An act conferring certain powers on the board of commissioners of Chehalis county, W. T.

H. B. No. 96—An act submitting to the voters of Washington Territory, at the next general election, a proposition for calling a convention to frame a State constitution and to apply for the admission of the State of Washington into the Union.

H. B. No. 13—An act to sub-divide the judicial districts of

the Territory of Washington and providing places for holding courts therein.

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. No. 68—An act for the relief of Hill Harmon,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendment:

Strike out all after the enacting clause and insert the annexed bill and recommend its passage.

J. W. BRAZEE,

Chairman.

Mr. Brazee, from the committee on Ways and Means, made the following reports:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

C. B. No. 28—An act for the relief of Mrs. Giles Ford.

H. B. No. 75—An act for the relief of R. H. Hewitt.

H. B. No. 99—An act for the relief of Chas. Prosch & Son.

H. B. No. 129—An act for the relief of Henry L. Sutton.

Have had the same under consideration and have instructed me to report a substitute with the following title:

H. B. No. 142—Substitute for C. B. 28, and H. B's 75, 99 and 129, an act for the relief of Giles Ford and others.

J. W. BRAZEE,

Chairman.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 24, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction of the following:

Also, that the Council has refused to concur in the House amendments to

C. B. No. 2—An act for the appointment of a resident physician for the insane asylum and prescribing his duties,

And request a committee of conference on the disagreement between the Houses.

And that the Council has concurred in House of Representatives amendments to

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla.

Also the passage in the Council of the following:

C. B. No. 34—An act to encourage ship building.

H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general."

H. B. No. 70—An act to change the name of Almanson Morey to Almanson Lovelace.

H. B. No. 90—An act to make valid the location of the Territorial road from Boisfort prairie, in Lewis county, intersecting the military road at a point above Henry Jackson's in Cowlitz county.

H. B. No. 97—An act to organize the county of Whitman.

H. B. No. 116—An act to provide for a new seal for Washington Territory.

H. B. No. 125—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties, approved December 2, 1867.

H. B. No. 126—An act in relation to road tax in Kitsap county.

H. B. No. 127—An act to pay the expenses of the joint committee to visit the Territorial university.

H. J. M. No. 9—Relative to light houses in Washington Territory.

H. J. M. No. 10—Relative to mail service from Seattle to Bellingham Bay.

Also, that the President of the Council has signed the following:

H. B. No. 80—An act to confirm titles to real estate in the city of Walla Walla.

H. B. 103—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

H. B. No. 54—An act concerning fences.

An act in relation to Territorial auditor.

H. J. M. No. 8—Relative to tide lands of Olympia.

H. J. M. No. 12—Relative to tide flats on Elliott bay adjacent to town of Seattle, W. T.

ELWOOD EVANS,
Chief Clerk.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

H. D. COCK,
Chairman.

Mr. Lasater moved that Mr. Cock have until next Wednesday to report on H. B. 24.

Amendment by Mr. Judson that he have until Monday.

Amendment to the amendment by Mr. Winans that he have until Tuesday.

Amendment to the amendment carried.

Mr. Campbell, from committee on Printing, submitted the following report:

MR. SPEAKER—

Your committee to whom was referred

C. B. No. 23—An act in relation to private seals,

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

EDWARD CAMPBELL,
Chairman.

Mr. Judson, from Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. No. 135—An act to amend the apportionment law of the Territory,

Have had the same under consideration and have instructed me to report it back to the House and recommend that it do not pass.

STEPHEN JUDSON,
Chairman.

Mr. Bigelow moved to reconsider the vote on the passage of

H. B. 38—An act to assign the district judges to the several judicial districts.

On motion of Mr. More,

Motion laid on the table.

Mr. Lasater moved that the chairman of committee on Judiciary be required to report on

H. B. 16—An act fixing the compensation of prosecuting attorneys.

Motion lost.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
November 25, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House that the President has signed the following:

Substitute for H. B. No. 26—An act to prevent stud horses, stud mules, jackasses or ridglings from running at large.

H. B. No. 13—An act to sub-divide the judicial districts of Washington Territory, and provide places for holding courts therein,

H. B. No. 94—An act conferring certain powers on the board county commissioners of Chehalis county.

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

Substitute for C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county to place gates on certain roads and highways.

H. B. No. 96—An act submitting to the voters of Washington Territory at the next general election a proposition for calling a convention to frame a State constitution and to apply for the admission of the State of Washington into the Union.

ELWOOD EVANS,
Chief Clerk.

By permission of the House Mr. McConaha submitted the following reports:

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

Substitute for C. B. No. 13—An act defining the rights of persons and property as affected by marriage.

C. B. No. 16—An act in relation to descent and distribution of property.

Have had the same under consideration and have instructed

me to report the same back without amendment and recommend their passage.

Respectfully submitted,
GEO. N. McCONAHA,
Chairman.

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

The committee on Judiciary, to whom was referred

H. B. No. 107—An act to authorize persons accused of crime to be a witness in his or her own behalf.

H. B. No. 136—An act to amend an act entitled "an act to regulate suits for divorce and alimony."

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend their passage.

Respectfully submitted,
G. N. McCONAHA,
Chairman.

Mr. Finkbonner, of Whatcom, introduced

H. B. No. 139—An act to authorize the Territorial auditor to cancel certain delinquent taxes due from Whatcom county.

Bill read first time.

No objections being made, read second time now, by title, and

On motion of Mr. Cline,

Referred to committee on Ways and Means.

Mr. Noyes, of Kitsap, introduced

H. B. No. 140—An act for the relief of L. L. Moore.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Bigelow,

Referred to Committee on Judiciary.

H. B. No. 133—An act to provide for the assessing and collecting of county and Territorial revenue.

Bill read second time.

On motion of Mr. Campbell,

Bill laid on the table and made special order for Monday at 11 A. M.

H. B. No. 138—An act to locate a Territorial road from the mouth of Mill creek, on the Willopa river, Pacific county, to intersect with the military road running from Monticello to Olympia.

Bill read a second time.

Mr. Winans moved to refer to committee on Education.

Amendment by Mr. Brazee to refer to committee on Agriculture.

Amendment lost.

Original motion lost.

Mr. Abbott moved that bill be indefinitely postponed.

Motion lost.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 25, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the reconsideration in the Council of the vote by which the Council non-concurred in the House amendments to the following:

C. B. No. 19—An act for the relief of James Huntington & Son.

And the Council now concurs in said amendments.

ELWOOD EVANS,
Chief Clerk.

Report of committee on

H. B. No. 135—An act to amend the apportionment of the Territory.

Mr. Lasater moved that report be adopted.

On this motion the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Barstow, Bigelow, Brewer, Campbell, Coupe, Finkbonner, Hovey, Hinckley, Kerns, McConaha, Noyes, Sinclair, Winans and Mr. Speaker—14.

Those voting in the negative were

Messrs. Abbott, Brazee, Cock, Cline, Gray, Gosnell, Judson, Lasater, Maxwell, Maxon, More, Ping, Scott and Whetstone—14.

Absent—Messrs. Ashpaugh and Lloyd.

Motion lost.

Mr. Lasater moved that H. B. 135 be read third time.

Amendment by Mr. Bigelow to lay on the table until Monday.

The ayes and noes were called on the amendment with the following result:

Those voting in the affirmative were

Messrs. Barstow, Brewer, Bigelow, Campbell, Coupe, Finkbonner, Hovey, Kerns, McConaha, Noyes, Sinclair, Winans and Mr. Speaker—13.

Those voting in the negative were

Messrs. Abbott, Brazee, Cock, Cline, Gray, Gosnell, Hinkley, Judson, Lasater, More, Maxon, Maxwell, Ping, Scott and Whetstone—15.

Absent—Messrs. Ashpaugh and Lloyd.

Amendment lost.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Barstow, Bigelow, Brewer, Coupe, Finkbonner, Hovey, Hinkley, Ping, Sinclair, Winans and Mr. Speaker—12.

Those voting in the negative were

Messrs. Abbott, Brazee, Campbell, Cock, Cline, Gray, Gosnell, Judson, Kerns, Lasater, More, McConaha, Maxon, Maxwell, Noyes, Scott and Whetstone—16.

Absent—Messrs. Ashpaugh and Lloyd.

So bill did not pass.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 40—An act in relation to the sheriffs of Pacific, Yakima, Kitsap, Skamania, Whatcom, Snohomish, Clalm and Stevens counties.

H. B. No. 72—An act for the relief of the sheriff of Thurston county.

H. B. No. 100—An act to amend an act entitled "an act relating to county assessors."

H. B. No. 59—An act to transfer certain Territorial funds into the county treasury of Stevens county.

C. B. No. 20—An act for the relief of Al. Pettygrove.

C. B. No. 21—An act to amend an act entitled an act to provide for the election of county commissioners and defining their duties.

Respectfully submitted,

WM. P. WINANS,

Chairman.

The Speaker gave notice that he was about to sign the following:

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

Substitute for H. B. No. 26—An act entitled an act to prevent certain animals running at large in certain counties.

Substitute to C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county, W. T., to erect gates on certain public roads.

H. B. No. 94—An act conferring certain powers on the board of commissioners of Chehalis county, W. T.

H. B. No. 96—An act submitting to the voters of Washing-

ton Territory, at the next general election, a proposition for calling a convention to frame a State constitution and to apply for the admission of the State of Washington into the Union.

H. B. No. 13—An act to sub-divide the judicial districts of the Territory of Washington and providing places for holding courts therein.

Report of committee on

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

On motion of Mr. Maxwell,

The report of the committee was adopted.

On motion of Mr. Lasater,

Now was assigned as the time for the third reading of the bill.

Bill read a third time.

Question being on the passage of the bill it was passed and title agreed to.

Mr. McConaha moved to reconsider the vote by which C. B. 27 passed the House, and amendment to the motion to lay the same on the table.

Original motion carried.

Amendment adopted.

Mr. Cock moved to adjourn till 10 A. M. Monday.

Amendment by Mr. More to adjourn till two P. M.

Amendment adopted.

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Saturday, November 25, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Lasater, Maxwell, Moore, Noyes, McConaha, More, Maxon, Ping, Sinclair, Scott, Whetstone. Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh and Lloyd.

By consent of the House, Mr. Maxwell introduced

H. B. No. 141—An act in relation to the county seat of Cowlitz county.

Bill read first time.

On motion of Mr. Maxon,

The rules were suspended and the bill was read a second time by title.

On motion of Mr. Coupe,

The rules were further suspended and the bill was read third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Kerns, Maxwell, Maxon, More, McConaha, Noyes, Ping, Scott, Sinclair, Winans, Whetstone and Mr. Speaker—27.

Absent—Messrs. Ashpaugh, Cline and Lloyd.

So the bill passed and the title agreed to.

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

H. B. No. 16—An act fixing compensation of prosecuting attorneys.

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendments:

Strike out the words "one thousand" wherever they occur in the bill, and insert in place thereof the words "twelve hundred."

Respectfully submitted,

GEO. N. McCONAHA,

Chairman.

Substitute reported by committee on Ways and Means for C. B. 28, H. B.'s 75, 99 and 129—An act for the relief of Mrs. Giles Ford and others, was taken up.

On motion of Mr. Winans,

The report and substitute were adopted.

Bill read a third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Bigelow, Brewer, Cock, Finkbonner, Gray, Gosnell, Hovey, Judson, Kerns, Maxwell, Moore, More, McConaha, Noyes, Scott, Sinclair, Winans and Speaker—21.

Those voting in the negative were—

Messrs Barstow, Hinkley and Whetstone—3.

Absent—Messrs. Ashpaugh, Campbell, Cline, Lasater, Lloyd, Ping and Whetstone.

Bill passed and title agreed to.

H. B. No. 68—An act for the relief of Hill Harmon, with report of committee recommending its passage with amendments.

Mr. Judson offered the following amendment to the bill:

"*Provided,* The auditor shall not draw the above warrant unless Hill Harmon, late Territorial treasurer, shall first pay into the Territorial treasury the sum $3638 72, the amount due this Territory by said Hill Harmon as is shown by the Territorial treasurer's report for 1871."

On motion of Mr. Gosnell,

The amendment was adopted.

Mr. Noyes moved to strike out $3000 and insert $3606 29 in the committees report.

On this motion the ayes and noes were demanded, with the following result:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Campbell, Coupe, Maxwell, McConaha, Noyes, Sinclair, Winans and Mr. Speaker—14.

Those voting in the negative were—

Messrs. Cline, Finkbonner, Gray, Gosnell, Hovey, Hinkley, Judson, Maxon, Moore, Ping, Scott and Whetstone—12.

Absent—Messrs. Ashpaugh, Kerns, Lasater and Lloyd.

Amendment carried.

Bill read third time.

The question recurring on the passage of bill as amended, the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were—

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Cock, Coupe, Finkbonner, Hovey, Judson, Kerns, Maxwell, McConaha, Noyes, Sinclair, Winans and Mr. Speaker—17.

Those voting in the negative were

Messrs. Cline, Gray, Gosnell, Hinckley, Maxon, More, Ping, Scott and Whetstone—9.

Absent—Mr. Ashpaugh, Campbell, Lasater and Lloyd.

So the bill passed and title agreed to.

Mr. Cock moved to reconsider.

Amendment by Mr. Noyes to lay the motion on the table.

Amendment adopted.

Original motion carried.

Report of committee on

C. B. No. 23—An act in relation to private seals.

On motion of Mr. Cline,

The report of the committee was adopted.

Bill read third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

Mr. McConaha, of King, introduced

H. B. No. 143—An act to provide for the incorporation of towns.

Bill read first time.

On motion of Mr. Bigelow,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Noyes,

Referred to committee on Corporations.

Mr. McConaha, of King, introduced

H. B. No. 144—An act to incorporate the city of Kalama.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Winans,

Referred to committee on Corporations.

Mr. Maxon, of Clarke, introduced

H. B. No. 145—An act to relocate the Territorial capitol.

Bill read first time.

No objections being made, the bill was read second time by title.

Mr. Cline moved to suspend the rules and put the bill on its third reading.

Motion lost.

On motion of Mr. Winans,

Referred to Committee on Corporations.

Report of committee on

H. B. 16—An act fixing the compensation of prosecuting attorneys.

On motion of Mr. Hinkley,

The report of the committee was adopted.

Bill read a third time.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Bigslow, Coupe, Gray, Hovey, Judson, Maxon, More, Winans and Mr. Speaker—12.

Those voting in the negative were

Messrs. Brewer, Barstow, Cline, Finkbonner, Gosnell, Hinkley, Kerns, McConaha, Noyes, Ping, Scott, Sinclair and Whetstone—12.

Absent—Messrs. Ashpaugh, Campbell, Cock, Lasater, Lloyd and Maxwell.

So the bill was lost.

Report of committee on

H. B. No. 107—An act to authorize persons accused of crime to be a witness in his or her own behalf.

On motion of Mr. Coupe,

The report of the committee was adopted.

Bill read third time.

The question being on the final passage of the bill it was passed and title agreed to.

Report of committee on

H. B. No. 136—An act to amend an act entitled "an act to regulate suits for divorce and alimony."

On motion of Mr. Kerns,

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Bigelow, Brewer, Brazee, Barstow, Coupe, Hovey, Judson, Kerns, McConaha, Noyes and Mr. Speaker—12.

Those voting in the negative were

Messrs. Cock, Cline, Finkbonner, Gosnell, Gray, Hinckley, Lasater, Maxon, Maxwell, Moore, Ping, Scott, Sinclair, Winans and Whetstone—15.

Absent—Mr. Ashpaugh, Campbell and Lloyd.

So bill did not pass.

Report of committee on

Substitute for C. B. No. 13—An act defining the rights of persons and property as affected by marriage.

On motion of Mr. Bigelow,

The report of the committee was adopted.

Bill read third time.

The question being "Shall the bill pass?" the ayes and noes were called.

The following is the vote:

Those voting in the affirmative were—

Messrs. Barstow, Bigelow, Hovey, Kerns, Maxwell, McConaha, Noyes, Sinclair, Winans and Mr. Speaker—10.

Those voting in the negative were—

Messrs. Abbott, Brazee, Brewer, Coupe, Cock, Cline, Gray, Gosnell, Hinkley, Judson, Lasater, More, Maxon, Ping, Scott and Whetstone—16.

Absent—Messrs. Ashpaugh, Campbell, Finkbonner and Lloyd.

So the bill did not pass.

Report of committee on

C. B. No. 16—An act in relation to descent and distribution of property.

On motion of Mr. Bigelow,

The report of the committee was adopted.

Bill read third time.

The question being on the passage of the bill it was lost.

On motion of Mr. McConaha,

Mr. Hinckley was granted leave of absence for five days.

On motion of Mr. Noyes,

Mr. Hovey was allowed leave of absence for two days.

On motion of Mr. Lasater,

Adjourned until Monday morning at 10 o'clock.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Monday, November 27, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Cline, Coupe, Finkbonner, Gray, Gosnell, Judson, Kerns, Maxwell, Maxon, More, McConaha, Noyes, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Hovey, Hinckley, Lloyd, Lasater and Ping.

Prayer by the Chaplain.

Journal of Saturday read and approved.

On motion of Mr. Judson,

The rules were suspended and business from the Council was taken up.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 27, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the concurrence in House amendments to

C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys.

Also the passage in the Council of the following:

H B. No. 64—An act in relation to Territorial treasurer.

H. B. No. 84—An act to amend an act entitled "an act to incorporate the city of Port Townsend, Jefferson county, W. T.," passed January 16th, 1860, and all subsequent acts amendatory thereto.

H. B. No. 104—An act to protect the Territorial capitol from fire.

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

H. J. R. No. 8—Resolution providing for the publication and distribution of certain laws in pamphlet form.

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. Judson,

A committee of conference was appointed on disagreement of the Houses on

C. B. No. 2—An act providing for the appointment of a resident physician for the insane asylum and prescribing his duties.

The Speaker appointed Messrs. Judson, Brazee and Winans as such committee.

C. B. No. 34—An act to encourage ship building.

Bill read first time.

No objections being made, read second time now, by title, and

On motion of Mr. Kerns,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" it was passed and title agreed to.

Mr. Abbott presented petition from the citizens of Clarke county relative to the assessor of said county.

On motion of Mr. Winans,

Referred to delegation from Clarke county.

Mr. Finkbonner presented petition from the citizens of Whatcom county relative to hogs.

On motion of Mr. Bigelow,

Was referred to delegation from Whatcom.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred C. B. No. 26—An act regulating taxes upon certain railroads, Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

J. W. BRAZEE,
Chairman.

Mr. Brazee, from the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred C. B. No. 30—An act authorizing the Territorial auditor to cancel certain delinquent Territorial tax charged against Mason county.

C. B. 31—An act to amend an act entitled "an act relating to county assessors.

Have had the same under consideration and beg leave to report the same back to the House without amendment and recommend their passage.

Respectfully submitted,

J. W. BRAZEE,

Chairman.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 27, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House that the President has signed the following:

C. B. No. 31—An act to amend an act relating to county assessors.

H. B. No. 40—An act in relation to the sheriffs of Pacific, Yakima, Kitsap, Skamania, Whatcom, Snohomish, Clalm and Stevens counties.

H. B. No. 59—An act to transfer certain Territorial funds into the county treasury of Stevens county.

H. B. No. 72—An act for the relief of the sheriff of Thurston county.

C. B. No. 20—An act for the relief of Al. Pettygrove.

ELWOOD EVANS,

Chief Clerk.

Mr. Bigelow, from the committee on Education, made the following report:

MR. SPEAKER—

Your committee on Education, to whom was referred

H. B. No. 134—An act in relation to licenses,

Have had the same under consideration and have instructed me to report a substitute with the following title:

Substitute for H. B. No. 134—An act in relation to licenses.

D. R. BIGELOW,

Chairman.

Mr. Bigelow also reported

H. B. No. 67—An act making liquor sellers responsible for damages,

With a majority report recommending the bill do not pass, and minority report recommending its passage.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general."

H. B. No. 70—An act to change the name of Almanson Morey to Almanson Lovelace.

H. B. No. 90—An act to make valid the location of the Territorial road from Boisfort prairie, in Lewis county, intersecting the military road at a point above Henry Jackson's in Cowlitz county.

H. B. No. 116—An act to provide for a new seal for Washington Territory.

C. B. No. 19—An act for the relief of James Huntington & Son.

C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys.

C. B. No. 29—An act to amend an act entitled "an act to provide for the appointment of commissioners of deeds, passed Jan. 19, 1863.

H. B. No. 125—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties, approved December 2, 1867.

H. B. No. 126—An act in relation to road tax in Kitsap county.

H. B. No. 127—An act to pay the expenses of the joint committee to visit the Territorial university.

H. J. M. No. 9—Relative to light houses in Washington Territory.

H. J. M. No. 10—Relative to mail service from Seattle to Bellingham Bay.

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Finkbonner, from Select committee, submitted the following report:

MR. SPEAKER—

Your committee to whom was referred the petition of citizens of La Conner precinct, have had the same under consideration and report the following bill:

H. B. No. 149—An act in relation to hogs in La Conner precinct, Whatcom county.

C. C. FINKBONNER,

Chairman.

Mr. Coupe, of Island, introduced

H. B. No. 146—An act for the protection of sheep in Island county.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Brazee,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

Mr. Judson moved an amendment "that this act shall only apply to Island county."

Amendment carried.

Question being on the passage of the bill it was passed and title agreed to.

Mr. Coupe, of Island, introduced

H. B. No. 147—An act for the protection of deer in Island and Clarke.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Campbell,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" it was passed and title agreed to.

Mr. Winans, of Stevens, introduced

H. B. No. 148—An act to locate a road from Fort Colville to Wallula.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Winans,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

Question being on the passage of the bill it was unanimously passed and title agreed to.

H. B. No. 133—An act to provide for the assessing and collecting of county and Territorial revenue,

Was taken from the table.

On motion of Mr. Campbell,

House went into committee of the Whole.

Mr. Campbell in the chair.

After consideration of the bill, Mr. Campbell, for said committee, reported that the bill pass with the following amendments:

Add a seventh clause to section four of chapter one, as follows:

"That household furniture be exempted to the value of one hundred and fifty dollars."

Also in section forty, chapter four, line three, insert "twenty-five" in lieu of "fifty," and after the word "cent" insert "per annum."

Also, in line three, of section 35, chapter four, after the word "lots," insert "steamboats and other property."

On motion of Mr. Winans,

Report adopted.

The question being "Shall the bill as amended, pass?" it was passed and title agreed to.

Mr. Barstow, by consent of the House, was granted leave of absence after to-morrow.

On motion of Mr. Lasater,

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Monday, November 27, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Judson, Kerns, Lasater, Maxwell, Moore, Noyes, McConaha, More, Maxon, Ping, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Hovey, Hinkley, Lloyd and Scott.

Mr. Coupe, of Island, introduced

H. B. No. 149—An act for the relief of H. R. Hatch.

Bill read first time.

On motion of Mr. Cock,

The rules were suspended and the bill was read second time.

On motion of Mr. Kerns,

The bill was referred to committee on Ways and Means.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 27, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

C. B. No. 36—An act authorizing James Huntington to settle with Cowlitz county.

Also of the passage by the Council of the following:

C. B. No. 32—An act for the relief of Snohomish county,

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington.

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap and Jefferson, with Council amendments, and respectfully ask the concurrence by the House in said amendments.

H. B. No. 91—An act in relation to stock marks, with Council amendments, and request the concurrence of the House in said amendment.

H. B. No. 108—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1869.

H. B. 109—An act to locate a Territorial road from Walla

Walla city, in Walla Walla county, to Fort Colville, in Stevens county,

Substitute for H. B. 111—An act to cure the defects in certain conveyances and to declare them good and lawful deeds to the lands described therein.

H. B. No. 113—An act in relation to foreign corporations holding property or doing business in this Territory.

H. B. No. 118—An act creating a board of pilot commissioners and pilots on the Columbia river and bar.

H. B. No. 132—An act to amend an act entitled "an act authorizing a special tax for the county of Clarke to pay the indebtedness of said county.

H. B. No. 138—An act to locate a Territorial road from the mouth of Mill creek, on the Willopa river, Pacific county, to intersect with the military road running from Monticello to Olympia.

H. B. No. 141—An act in relation to the county seat of Cowlitz county.

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. Winans,

The clerk was instructed to report the business of the House to the Council.

Mr. Coupe moved to reconsider the vote by which the substitute to

C. B. No. 13—An act defining the rights of husband and wife and in relation to descent and distribution of real and personal estate, was lost, and that the President of the Council be invited within the bar to advocate the merits of the bill.

The question being "Shall the bill be reconsidered?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Brazee, Bigelow, Brewer, Coupe, Cline, Gray, Kerns, Maxwell, Maxon, McConaha, Noyes, Sinclair, Winans and Mr. Speaker—15.

Those voting in the negative were

Messrs. Barstow, Oock, Campbell, Finkbonner, Judson, Lasater, Gosnell, More, Ping and Whetstone—10.

Absent—Messrs. Ashpaugh, Hovey, Lloyd and Scott.

So the vote was reconsidered.

Messrs. Lasater, Ping and Whetstone, of Walla-walla, and Judson and More, of Pierce, gave notice that they would file their protest in writing against the action of the Speaker in putting the vote to reconsider C. B. 13; that it was not in order, not being on the same or subsequent day of its passage.

Bill read three times under suspension of the rules.

The question being "Shall the bill pass?" it was passed and title agreed to.

Mr. Maxwell, of the committee on Corporations, made the following report:

MR. SPEAKER—

The committee on Corporations, to whom was referred

H. B. No. 144—An act to incorporate the city of Kalama,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

G. W. MAXWELL,
Chairman.

Mr. Maxwell, chairman of committee on Corporations, made the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. No. 143—An act to provide for the incorporation of towns,

Have had the same under consideration and beg leave to report it back to the House without amendment and recommend its passage.

Respectfully submitted,
G. W. MAXWELL,
Chairman.

Report of committee on

C. B. No. 26—An act regulating taxes upon certain railroads.

On motion of Mr. Winans,

The report of the committee was adopted.

Question being on the passage of the bill it was passed and title agreed to.

Report of committee on

C. B. 31—An act to amend an act entitled "an act relating to county assessors.

On motion of Mr. Coupe,

The report of the committee was adopted.

On motion of Mr. McConaha,

The word "King" was stricken out of the bill and "Walla Walla" inserted.

On motion of Mr. Gosnell,

The word "Lewis" was inserted after "Walla Walla."

On motion of Mr. Maxon,

The word "Clarke" was inserted after "Lewis."

On motion of Mr. Campbell,

"Chehalis" was inserted after "Clarke."

On motion of Mr. Gray,

"Cowlitz" was inserted after "Chehalis."

The question being "Shall the bill as amended, pass?" it was passed and title agreed to.

Report of committee on

C. B. No. 30—An act authorizing the Territorial auditor to cancel certain delinquent Territorial tax charged against Mason county.

On motion of Mr. Noyes,

The report of the committee was adopted.

Bill read third time.

The question being "Shall the bill pass?" it was passed and title agreed to.

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

Bill read first time.

On motion of Mr. Sinclair,

The rules were suspended and the bill was read second time.

On motion of Mr. Winans,

Referred to Committee on Judiciary.

C. B. No. 36—An act authorizing James Huntington to settle with Cowlitz county.

Bill read first time.

C. B. No. 32—An act for the relief of Snohomish county.

Bill read first time.

On motion of Mr. Sinclair,

The rules were suspended and the bill was read a second time by title.

On motion of Mr. Lasater,

Referred to committee on Ways and Means.

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington.

Bill read first time.

On motion of Mr. Lasater,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Winans,

The bill was referred to committee on Ways and Means.

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap and Jefferson, amended in the Council by striking out the word "Snohomish" wherever it appeared in the bill and title.

On motion of Mr. Judson,

The House concurred in Council amendments.

Substitute for H. B. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

On motion of Mr. Winans,

The House concurred in Council amendment.

H. B. No. 149—An act in relation to hogs in La Conner precinct, Whatcom county.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Finkbonner,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

Question being on the passage of the bill it was unanimously passed and title agreed to.

Substitute for H. B. No. 134—An act in relation to licenses.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Maxon,

Clarke county was excepted from the bill.

On motion of Mr. Cock,

The words "or county" in section 11, were stricken out.

On motion of Mr. Lasater,

Section twelve was stricken out.

Mr. Judson moved to amend as follows: Providing this act shall not apply to the counties of Pierce, Walla Walla, King, Clarke, Clalm and Cowlitz.

Mr. McConaha moved that the bill be laid on the table.

Motion lost.

On motion of Mr. Bigelow,

The vote by which the words "or county" were stricken out, was reconsidered.

Mr. Judson's motion was then put and carried.

The question being on the final passage of the bill it was passed and title agreed to.

The Speaker gave notice that he was about to sign the following:

H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general."

H. B. No. 70—An act to change the name of Almanson Morey to Almanson Lovelace.

H. B. No. 90—An act to make valid the location of the Territorial road from Boisfort prairie, in Lewis county, intersecting the military road at a point above Henry Jackson's in Cowlitz county.

H. B. No. 116—An act to provide for a new seal for Washington Territory.

C. B. No. 19—An act for the relief of James Huntington & Son.

C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys.

C. B. No. 29—An act to amend an act entitled "an act to provide for the appointment of commissioners of deeds, passed Jan. 19, 1863.

H. B. No. 125—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties, approved December 2, 1867.

H. B. No. 126—An act in relation to road tax in Kitsap county.

H. B. No. 127—An act to pay the expenses of the joint committee to visit the Territorial university.

H. J. M. No. 9—Relative to light houses in Washington Territory.

H. J. M. No. 10—Relative to mail service from Seattle to Bellingham Bay.

On motion of Mr. Noyes,

H. B. No. 138—An act in relation to female suffrage,

Was taken from the table.

Mr. Bigelow moved to strike out the word "no" in line two, section one, and add the letter "s" to the word "females" so as to read "females shall have the right of ballot."

Amendment lost.

The question being "Shall the bill as amended, pass?" the bill was passed and title agreed to.

On motion of Mr. Lasater,

The clerk was instructed to report the passage of the above to the Council.

Mr. Campbell, from committee on Printing, submitted the following report:

MR. SPEAKER—

Your committee on Printing, as required by H. R. 11, beg leave to report as follows:

Having called on the Hon. Territorial Secretary at his office, we find that the only records in his office in reference to the distribution of the laws and journals of the session of the Legislature of the year 1869, are, one receipt from the auditor of Thurston county for 11 copies of the laws of that year, and a receipt from the auditor of Kitsap county for 10 copies of the same: and further, that there are now three packages of laws in the Secretary's office to be forwarded: one of 12 copies to Whatcom county; one of 11 copies to Cowlitz county, and one of 4 copies to Pacific county.

And further, that the Hon. Secretary says he will send a circular to the auditors of all the counties in the Territory by the first of December, with a request that they furnish him with the number of copies their respective counties are entitled to by law, and will furnish that number.

And further, that the provision for the payment of postage and other necessary expenses on the distribution of the laws, is

scarcely sufficient, and would respectfully recommend the subject to the consideration of the House.

And further, that the Treasury Department will not pay for the printing of a portion of the laws in pamphlet form for immediate distribution.

Respectfully, &c.,

EDWARD CAMPBELL,

Chairman.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 27, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

Sir—I have the honor to inform you that I have approved the following entitled bills:

Substitute for H. B. No. 6—An act to prevent the destruction of fish in any fresh water streams, creeks or lakes in Washington Territory.

H. B. No. 88—An act in relation to licenses in the county of Clalm.

H. B. No. 93—An act to change the name of Mary E. Fowler to that of Mary E. Phelan.

H. B. 36—An act to regulate the raising of revenue for road purposes in Walla Walla county.

H. B. No. 60—An act for the relief of I. V. Mossman.

H. B. No. 57—An act to amend an act entitled "an act to incorporate the town of Seattle."

H. B. No. 82—An act to change the name of Louisa Victoria Ash to that of Louisa Victoria Foss.

I am sir,

Very respectfully,

Your obedient servant,

EDWARD S. SALOMON,

Governor of Washington Territory.

On motion of Mr. Brazee,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Tuesday, November 28, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Judson, Kerns, Lasater, Maxwell, Moore, Noyes, McConaha, More, Maxon, Ping, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Hovey, Hinkley, Lloyd and Scott.

Journal of yesterday read and approved.

Prayer by the Chaplain.

By permission of the House, Mr. Winans submitted the following report:

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 132—An act to amend an act entitled "an act authorizing a special tax for the county of Clarke to pay the indebtedness of said county.

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap, Snohomish and Jefferson.

H. B. No. 138—An act to locate a Territorial road from the mouth of Mill creek, on the Willopa river, Pacific county, to intersect with the military road running from Monticello to Olympia.

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

H. B. No. 104—An act to protect the Territorial capitol from fire.

H B. No. 64—An act in relation to Territorial treasurer.

H. B. No. 84—An act to amend an act entitled "an act to incorporate the city of Port Townsend, Jefferson county, W. T.," passed January 16th, 1860, and all subsequent acts amendatory thereto.

Substitute for H. B. 111—An act to cure the defects in certain conveyances and to declare them good and lawful deeds to the lands described therein.

H. B. No. 97—An act to organize the county of Whitman.

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla.

C. B. No. 23—An act in relation to private seals.

H. J. R. No. 8—Resolution providing for the publication and distribution of certain laws in pamphlet form.

Respectfully submitted,

WM. P. WINANS,

Chairman.

On motion of Mr. Judson,

The clerk was instructed to report the business of the House to the Council.

Mr. Maxon of Clarke, presented a petition from the citizens of Clarke county, asking for an appropriation for special purposes.

On motion of Mr. Ping,

Referred to delegation from Clarke county.

Mr. Brazee, from the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred C. B. No. 32—An act for the relief of Snohomish county,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendments:

Strike out "seven hundred and forty-two dollars and seventy-five cents," and insert "five hundred and ninety-seven dollars and twenty-five cents."

J. W. BRAZEE,
Chairman.

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendment:

Strike out "six hundred" and insert "three hundred dollars."

Respectfully submitted,
J. W. BRAZEE,
Chairman.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 28, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives of the passage of

H. B. No. 142—Substitute for C. B. 28, and H. B's 75, 99 and 129, an act for the relief of Giles Ford and others.

C. B. No. 39—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways, approved Dec. 2, 1869.

Also, that the President of the Council has signed the following:

H. B. No. 108—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1869.

H. B. No. 127—An act to pay the expenses of the joint committee to visit the Territorial university.

C. B. No. 29—An act to amend an act entitled an act to provide for the appointment of commissioners of deeds.

C. B. 19—An act for the relief of Huntington & Son.

H. B. No. 126—An act in relation to road tax in Kitsap county.

H. B. No. 138—An act to locate a Territorial road from the mouth of Mill creek in Pacific county, to intersect the military road running from Monticello to Olympia.

H. B. No. 132—An act to amend an act entitled "an act authorizing a special tax for the county of Clarke to pay the indebtedness of said county, approved Oct. 30, 1869.

H. B. No. 111—An act in relation to sales made by administrators and guardians.

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla.

H. B. No. 84—An act to amend an act entitled "an act to incorporate the city of Port Townseud, Jefferson county, Washington Territorv.

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

H. B. No. 104—An act to protect the capitol from fire.

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

H. B. No. 64—An act in relation to Territorial treasurer.

C. J. R. 6—Relative to visit to Territorial University by a joint committee of the Legislative Assembly.

H. J. M. No. 9—Relative to light houses in Washington Territory.

H. J. M. No. 10—Relative to mail service from Seattle to Bellingham Bay.

H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general."

H. B. No. 70—An act to change the name of Almanson Morey to Almanson Lovelace.

H. B. No. 90—An act to make valid the location of the Territorial road from Boisfort prairie, in Lewis county, intersecting the military road at a point above Henry Jackson's in Cowlitz county.

C. B. No. 25—An act to enable towns and cities to appropriate lands for streets, roads and alleys.

ELWOOD EVANS,
Chief Clerk.

Mr. McConaha, chairman of the committee on Judiciary, submitted the following report:

MR. SPEAKER—

Your committee on Judiciary, to whom was referred

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific,

Report the same back and recommend the following amendments:

SEC. 2. In the House of Representatives the county of Clarke shall be entitled to one member.

The counties of Clarke and Skamania shall be entitled to one joint member.

The county of Thurston shall be entitled to three members.

The county of Chehalis shall be entitled to one member.

The county of King shall be entitled to two members.

The county of Snohomish shall be entitled to one member.

The counties of King and Snohomish shall be entitled to one joint member.

Respectfully submitted,

GEO. N. McCONAHA,

Chairman.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

C. B. No. 24—An act relative to the location of the county seat of Klikitat county,

Have had the same under consideration and have instructed me to report it back to the House and recommend that it do not pass.

H. D. COCK,

Chairman.

Mr. Abbott, from Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee of the House, to whom was referred the petition of Wm. H. Simmons and 28 others, praying that your honorable body will take such action as will enable and authorize him to qualify and hold the office of assessor, to which he was elected, beg leave to report by bill:

H. B. No. 152—An act to authorize Wm. Simmons to take and hold the office of assessor in Clarke county, W. T.

W. ABBOTT,

Chairman.

Mr. Judson, from Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

C. B. No. 2—An act for the appointment of a resident physician for the insane asylum and prescribing his duties,

Have had the same under consideration and recommend the following amendments:

Strike out "Territorial auditor and Dr. A. H. Steele," and insert "the school superintendent of Thurston county, and the chairman of the county commissioners of Pierce county;" also, strike out "nine hundred" and insert "one thousand."

STEPHEN JUDSON,
Chairman.

Mr. Van Bokkelen, of Jefferson, introduced

H. B. No. 149—An act for the prevention of raffles, &c.,

Bill read first time.

No objections being made, read second time now, by title, and

On motion of Mr. Bigelow,

Referred to committee on Agriculture.

Mr. Maxon, of Clarke, introduced

H. B. No. 150—An act providing for the building of court house and jail in Clarke county.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Cock,

Referred to delegation from Clarke county.

Mr. Judson, of Pierce and Mason, introduced

H. B. No. 151—An act making the sheriff of Pierce county *ex-officio* assessor of said county.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Noyes,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

Mr. Finkbonner, of Whatcom, introduced

H. J. R. No. 9—Relative to adjournment.

Resolution read first time.

No objections being made, the resolution was read second time by title.

On motion of Mr. Lasater,

Laid on the table subject to the call of the House.

C. B. No. 36—An act authorizing James Huntington to settle with Cowlitz county.

Bill read second time.

Mr. Gray moved to amend by striking out the words "certain scrip in his possession."

Amendment carried.

On motion of Mr. Judson,

Now was assigned as the time for the third reading of the bill.

Bill read a third time.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 28, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H. B. No. 121—An act establishing a common school system for the Territory of Washington,

With amendments, requesting the concurrence of the House in said amendments.

ELWOOD EVANS,
Chief Clerk.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 28, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

Sir—I have the honor to inform you that I have approved the following entitled bills:

H. B. No. 13—An act to sub-divide the judicial districts of the Territory of Washington and providing places for holding courts therein.

H. B. No. 100—An act to amend an act entitled "an act relating to county assessors."

H. B. 103—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

H. B. No. 80—An act to confirm titles to certain real estate in the city of Walla.

H. B. No. 54—An act concerning fences.

Substitute for H. B. No. 26—An act to prevent stud horses, stud mules, jackasses or ridglings from running at large.

H. B. No. 101—An act authorizing the county commissioners of King county to borrow money for the purpose of paying off bonds issued by King county.

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor of Washington Territory.

Report of committee on

H. B. No. 144—An act to incorporate the city of Kalama.

On motion of Mr. Maxwell,

The report of the committee was adopted.

Bill read third time.

The question being "Shall the bill as amended, pass?" the bill was passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 28, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage of

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

ELWOOD EVANS,
Chief Clerk.

Report of committee on

H. B. No. 143—An act to provide for the incorporation of towns.

On motion of Mr. Cock,

The report of the committee was adopted.

Mr. McConaha moved to amend as follows:

Section 16, first line, strike out the word "sought" and insert the word "seeking;" also, in the same line and section strike out the word "existing" and insert "this." Section 16, third line, strike out the word "chairman" wherever it appears in the bill. Line six, section 16, strike out the words "said chairman of the."

Mr. Bigelow moved to strike out all after the enacting clause.

Mr. Lasater moved an amendment to strike out section sixteen.

Pending which,

On motion of Mr. Kerns,

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Tuesday, November 28, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Judson, Kerns, Lasater, Maxwell, Moore, Noyes, McConaha, More, Maxon, Ping, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Hovey, Hinkley, Lloyd and Scott.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
November 28, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the introduction and passage by the Council of the following:

C. B. No. 38—An act in relation to descent and distribution of property.

ELWOOD EVANS,
Chief Clerk.

H. B. 143 being before the House and Mr. Bigelow's motion to strike out all after the enacting clause,

On this motion the ayes and noes were called with the following result:

Those voting in the affirmative were—

Messrs. Bigelow, Brewer, Barstow, Campbell, Coupe, Judson, Kerns, More and Sinclair—9.

Those voting in the negative were

Messrs. Brazee, Cline, Finkbonner, Gray, Gosnell, Lasater, Maxwell, Maxon, McConaha, Noyes, Pingand Mr. Speaker—12.

Absent—Messrs. Ashpaugh, Abbott, Cock, Hovey, Hinkley, Lloyd, Scott, Winans and Whetstone.

Motion lost.

Mr. Lasater's motion to strike out section 16 was carried.

Bill read third time.

The question being "Shall the bill pass?" it was passed and title agreed to.

The Speaker gave notice that he was about to sign the following:

H. B. No. 132—An act to amend an act entitled "an act authorizing a special tax for the county of Clarke to pay the indebtedness of said county.

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap, Snohomish and Jefferson.

H. B. No. 138—An act to locate a Territorial road from the mouth of Mill creek, on the Willopa river, Pacific county, to intersect with the military road running from Monticello to Olympia.

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

H. B. No. 104—An act to protect the Territorial capitol from fire.

H B. No. 64—An act in relation to Territorial treasurer.

H. B. No. 84—An act to amend an act entitled "an act to incorporate the city of Port Townsend, Jefferson county, W. T.," passed January 16th, 1860, and all subsequent acts amendatory thereto.

Substitute for H. B. 111—An act to cure the defects in certain conveyances and to declare them good and lawful deeds to the lands described therein.

H. B. No. 97—An act to organize the county of Whitman.

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

C. B. No. 22—An act modifying the law relating to estrays in the county of Walla Walla.

C. B. No. 23—An act in relation to private seals.

H. J. R. No. 8—Resolution providing for the publication and distribution of certain laws in pamphlet form.

On motion of Mr. Brazee,

The clerk was instructed to report the passage of the above to the Council.

H. B. No. 67—An act making liquor sellers responsible for damages,

With majority and minority reports thereon, was taken up.

Mr. Lasater moved to adopt the majority report.

Previous question was called for when the motion was lost.

H. B. No. 67—An act to make liquor sellers responsible for damages.

Bill read third time.

Mr. Abbott moved to amend by striking out section three.

Motion lost.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs Barstow, Brazee, Bigelow, Brewer, Cock, Campbell, Coupe, Kerns, Maxwell, Maxon and Sinclair—11.

Those voting in the negative were—

Messrs. Abbott, Cline, Finkbonner, Gray, Gosnell, Judson, Lasater, More, McConsha, Noyes, Ping, Whatstone and Mr. Speaker—13.

Absent—Messrs. Ashpaugh, Hovey, Hinkley, Lloyd, Scott and Winans.

So bill did not pass.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 28, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

Sir—I have the honor to inform you that I have approved the following entitled bills:

H. B. No. 40—An act in relation to the sheriffs of Pacific, Yakima, Kitsap, Skamania, Whatcom, Snohomish, Clalm and Stevens counties.

Substitute for C. B. No. 8—An act authorizing A. H. Curtis and others of Klikitat county to place gates on certain roads and highways.

H. B. No. 96—An act submitting to the voters of Washington Territory at the next general election a proposition for calling a convention to frame a State constitution and to apply for the admission of the State of Washington into the Union.

H. B. No. 94—An act conferring certain powers on the board county commissioners of Chehalis county.

H. B. No. 72—An act for the relief of the sheriff of Thurston county.

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor of Washington Territory.

Report of committee on

H. J. M. No. 11—Relative to mail service from Puget Sound to be transmitted by rail and steamers via San Francisco.

On motion of Mr. Kerns,

The report of the committee was adopted.

The question being "Shall the memorial now pass?" it was passed.

Report of committee on

C. M. No. 1—Praying Congress to appropriate $60,000 for removing obstructions from the upper Columbia river between Celilo and Wallula.

On motion of Mr. Campbell,

The report of the committee was adopted.

The question being "Shall the memorial now pass?" it was passed.

By permission of the House, Mr. Brazee submitted the following report:

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred H. B. No. 149—An act for the relief of H. R. Hatch,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendment:

Strike out "two hundred and seventy-three dollars and thirty-three cents" and insert "one hundred and thirty-six dollars and sixty-six cents."

Respectfully submitted,

J. W. BRAZEE,

Chairman.

H. B. No. 152—An act to authorize Wm. Simmons to take and hold the office of assessor in Clarke county, W. T.

Bill read first time.

On motion of Mr. Brazee,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Maxon,

Rules were suspended and the bill read third time.

Question being on the passage of the bill it was passed and title agreed to.

Report of committee on

C. B. No. 24—An act relative to the location of the county seat of Klikitat county.

The question being "Shall the bill pass?" it was passed and title agreed to.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 125—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties, approved December 2, 1869.

H. B. No. 91—An act relating to stock marks.

H. B. No. 113—An act in relation to foreign corporations holding property or doing business in this Territory.

Respectfully submitted,

WM. P. WINANS,

Chairman.

Report of committee on

C. B. No. 32—An act for the relief of Snohomish county.

On motion of Mr. Judson,

Report of the committee was adopted.

The question being "Shall the bill as amended, pass?" the bill was passed and title agreed to.

Report of committee on

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington.

On motion of Mr. Gray,

The report of the committee was adopted.

The question being "Shall the bill as amended, pass?" it was passed and title agreed to.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 28, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives of the passage of

H. B. No. 68—An act for the relief of Hill Harmon.

H. B. No. 144—An act to incorporate the city of Kalama.

H. B. No. 143—An act to provide for the incorporation of towns.

C. J. R. No. 7—Relative to adjournment.

H. B. No. 107—An act to authorize persons accused of crime to be a witness in his or her own behalf.

ELWOOD EVANS,
Chief Clerk.

Report of committee on

H. B. No. 149—An act for the relief of H. R. Hatch.

On motion of Mr. Winans,

The report of the committee was adopted.

Bill read third time.

Question being on the passage of the bill it was unanimously passed and title agreed to.

C. J. R. No. 7—Relative to adjournment.

Resolution read first time.

On motion of Mr. Maxwell,

Laid on the table.

Mr. McConaha, of King, introduced

H. J. R. No. 10—Relative to the town of Kalama incorporating under the general incorporation law.

Resolution read first time.

Resolved by the Council, the House concurring, That the town of Kalama may form a town organization under the general law for the incorporation of towns, passed Nov. 28, 1871, if the majority of the citizens so desire.

On motion of Mr. Coupe,

The rules were suspended and the resolution was read second time.

On motion of Mr. McConaha,

The rules were further suspended and the resolution read third time and passed.

H. B. No. 121—An act establishing a common school system for the Territory of Washington.

On motion of Mr. Bigelow,

The House concurred in Council amendments.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 28, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H. B. No. 113—An act in relation to foreign corporations holding property or doing business in this Territory.

H. B. No. 108—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1869.

H. S. for C. B. No. 9 and H. B. No. 20—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

ELWOOD EVANS,
Chief Clerk.

Report of committee on

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

Mr. Brazee moved that the bill and report of committee be laid on the table.

Motion lost.

On motion of Mr. Finkbonner,

Report of committee was adopted.

Mr. Abbott moved to adjourn.

Motion lost.

On motion of Mr. More,

Amended to read as follows: "To change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific, and assigning the representation for the House of Representatives in the counties of Clarke, Skamania, Chehalis, King and Snohomish."

The question being on the final passage of the bill it was passed and title agreed to.

On motion of Mr. Bigelow,

The clerk was instructed to report forthwith to the Council such action by the House.

The Speaker gave notice that he was about to sign the following:

H. B. No. 125—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties, approved December 2, 1869.

H. B. No. 91—An act relating to stock marks.

H. B. No. 113—An act in relation to foreign corporations holding property or doing business in this Territory.

By consent of the House, Mr. Ping was granted leave of absence during the remainder of the session.

On motion of Mr. Lasater,

The House adjourned until seven o'clock P. M.

W. S. BAXTER,
Chief Clerk.

EVENING SESSION.

HOUSE OF REPRESENTATIVES,
Tuesday, November 28, 1871,
7 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Judson, Kerns, Lasater, Maxwell, Moore, Noyes, McConaha, More, Maxon, Ping, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Hovey, Hinkley, Lloyd and Scott.

On motion of Mr. Lasater,

H. B. No. 20—Substitute for C. B. No, 9, an act to amend an act entitled "an act to regulate the practice and proceedings in civil actions,"

Was taken from the table.

On motion of Mr. Lasater,

The House concurred in Council amendment.

C. B. No. 39—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways, approved Dec. 2, 1869.

Bill read first time.

On motion of Mr. Lasater,

The rules were suspended and the bill was read a second time by title.

On motion of Mr. Winans,

The rules were further suspended and the bill was read third time.

The question being on the passage of this bill, it was unanimously passed and title agreed to.

H. B. No. 142—Substitute for C. B. 28, and H. B's 75, 99 and 129, an act for the relief of Giles Ford and others.

Reported back from the Council with amendments.

On motion of Mr. Judson,

House refused to concur in Council amendments.

C. B. No. 38—An act in relation to descent and distribution of property.

Bill read first time.

Mr. McConaha, of King, introduced

H. B. No. 153—An act for the relief of W. S. Baxter.

Bill read first time.

No objection being made, the bill was read second time by title.

On motion of Mr. Lasater,

Now was assigned as the time for the third reading of the bill.

Bill read a third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

Report of committee on

C. B. No. 2—An act for the appointment of a resident physician for the insane asylum and prescribing his duties.

On motion of Mr. Judson,

The report of the committee was adopted.

On motion of Mr. Judson,

The chair appointed Messrs. Judson, Noyes and Maxon a committee of conference on the disagreement between the Houses on

H. B. No. 142—Substitute for C. B. No. 28 and H. B. No.'s 75, 99, 129, an act for the relief of Giles Ford and others.

On motion of Mr. Lasater,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATIVES,
Wednesday, November 29, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Bigelow, Brewer, Campbell, Cock, Cline, Coupe, Finkbonner, Gray, Gosnell, Judson, Kerns, Maxwell, Maxon, More, McConaha, Noyes, Scott, Sinclair, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Hovey, Hinckley, Lloyd, Lasater and Ping.

Journal of yesterday read and approved.

Prayer by the Chaplain.

Mr. McConaha, chairman of committee on Judiciary, made the following report:

MR. SPEAKER—

The committee on Judiciary, to whom was referred

H. B. No. 140—An act for the relief of L. L. Moore,

Having had the same under consideration, report it back to the House and recommend its indefinite postponement.

G. N. McCONAHA,
Chairman.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

C. B. No. 34—An act to encourage ship building.

C. B. No. 30—An act authorizing the Territorial auditor to cancel certain delinquent Territorial tax charged against Mason county.

C. B. No. 26—An act regulating taxes upon certain railroads.

H. B. No. 61—An act to amend an act entitled an act establishing a common school system for the Territory of Washington.

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

H. B. No. 107—An act to authorize persons accused of crime to be witnesses in his or her own behalf.

H. B. No. 118—An act creating a board of pilot commissioners and pilots on the Columbia river and bar.

H. B. No. 144—An act to incorporate the city of Kalama.

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Maxwell, chairman of committee on Corporations, made the following report:

MR. SPEAKER—

Your committee on Corporations, to whom was referred

H. B. No. 145—An act to relocate the Territorial capitol,

Have had the same under consideration and have instructed me to report it back to the House and recommend that it do not pass.

Respectfully submitted,

G. W. MAXWELL,

Chairman.

Report of committee on

H. B. No. 140—An act for the relief of L. L. Moore.

Mr. Cock, of Klikitat, introduced

H. J. M. No. 13—Relative to the reduction of the Yakima Indian reservation.

Memorial read first time.

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent that the present Indian reservation for the Yakima and other tribes of Indians at

present upon the Yakima reserved lands, is manifestly too large for the rapidly decreasing numbers of those aboriginees, as the extent of land is 921,600 acres or 1440 sections, and the number of Indians occupying this vast range are thereby encouraged in their nomadic habits as hunters, and the large extent of range prevents their being made farmers as was the policy of the government. It is also clearly too large an area for the concentration of communities into villages and farms, and also its vast extent prevents the otherwise rapid development which would take place were there a contraction of reduction of the limits of said reservation. The scope of country lying east of the Cascade range of mountains, of arable land, is limited to the valleys, and already the white settlers there feel their interests seriously affected by the withdrawal of so large an area of the best land between the Yakima river and the Cascade mountains.

Therefore, your memorialists respectfully request your honorable body to reduce the above named reservation, or pass a law instructing the department of Indian affairs to take steps looking to a new treaty reducing the limits of said Yakima reservation to ——— acres.

And your memorialists will ever pray.

On motion of Mr. Lasater,

The rules were suspended and the memorial was read second time.

On motion of Mr. Bigelow,

The rules were suspended, memorial read a third time and passed.

H. J. R. No. 12—Relative to Port Townsend forming town organization.

Resolution read first time.

Resolved by the House of Representatives, the Council concurring, That the town of Port Townsend, Jefferson county, W. T., may form a town organization under the general law for the incorporation of towns, passed November 28, 1871, if the majority of citizens so desire, at any time on or before October 1st, 1873.

On motion of Mr. Brazee,

Rules were suspended and resolution read a second time by title.

On motion of Mr. Cock,

Now was assigned as the time for the third reading of the resolution.

Resolution read third time.

The question being "Shall the resolution now pass?" it was passed.

H. J. R. No. 13—Relative to passage of substitute to C. B. No. 13.

Resolution read first time.

No objections being made, resolution read a second time by title.

On motion of Mr. Campbell,

Rules were suspended, resolution was read a third time and passed.

Mr. Bigelow, of Thurston, introduced

H. B. No. 154—An act providing for the publication and distribution of certain laws.

Bill read first time.

No objections being made, the bill was read second time by title.

On motion of Mr. Lasater,

Referred to committee on Education.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage of

H. B. No. 138—An act in relation to female suffrage.

ELWOOD EVANS,
Chief Clerk.

Mr. Cock, of Yakima, introduced

H. B. No. 155—An act making the sheriffs of Yakima, Jefferson, Klikitat and Kitsap counties *ex-officio* assessors of said county.

Bill read first time.

No objection being made, bill read a second time now, by title.

On motion of Mr. Cock,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage of

H. B. No. 148—An act to locate a road from Fort Colville to Wallula.

And that the Council has concurred in House of Representatives amendments to

C. B. No. 39—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways."

C. B. No. 36—An act authorizing James Huntington to settle with Cowlitz county.

Also, that the President of the Council has signed the following:

An act for the relief of Hill Harmon.

H. B. No. 107—An act to authorize persons accused of crime to be a witness in his or her own behalf.

H. B. No. 144—An act to incorporate the city of Kalama.

ELWOOD EVANS,
Chief Clerk.

Report of committee on

H. B. No. 140—An act for the relief of L. L. Moore.

Mr. Noyes offered several amendments to the bill which were carried.

Mr. Maxon, from Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

H. B. No. 150—An act providing for the building of court house and jail in Clarke county,

Have had the same under consideration and have instructed me to report the same back to the House and recommend its passage with the following amendments:

At the end of section one add: *Provided*, That it shall be submitted to a vote of the people of the county, and if a majority vote in favor of the same then it shall take effect, otherwise it shall be void.

S. D. MAXON,
Chairman.

H. B. No. 140—An act for the relief of L. L. Moore.

Bill read third time.

The question being "Shall the bill pass?" it was passed and title agreed to.

Report of committee on

H. B. No. 150—An act to provide for building a court house and jail in Clarke county.

On motion of Mr. Abbott,

The report of the committee was adopted.

Bill read third time.

Question being on the passage of the bill it was unanimously passed and title agreed to.

Report of committee on

H. B. No. 145—An act to relocate the Territorial capitol.

Bill read a third time.

Mr. Bigelow moved that the bill be indefinitely postponed.

Upon which motion the ayes and nays were demanded with the following result:

Those voting in the affirmative were

Messrs. Abbott, Lasater, Maxon, Moore, Ping, Whetstone and Mr. Speaker—7.

Those voting in the negative were—

Messrs. Brazee, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Hovey, Judson, Kerns, Maxwell, McConaha, Noyes, Sinclair and Winans—17.

Absent—Messrs. Ashpaugh, Barstow, Gosnell, Hinkley, Lloyd and Scott.

Motion lost.

The question being "Shall the bill pass?" the ayes and noes were demanded.

The following is the vote:

Those voting in the affirmative were

Messrs. Abbott, Lasater, Maxon, More, Ping, Whetstone and Mr. Speaker—7.

Those voting in the negative were

Messrs. Brazee, Bigelow, Brewer, Cock, Coupe, Campbell, Cline, Finkbonner, Gray, Hovey, Judson, Kerns, McConaha, Maxwell, Noyes, Sinclair and Winans—17.

Absent—Mr. Ashpaugh, Barstow, Gosnell, Hinckley, Lloyd and Scott.

So the bill did not pass.

On motion of Mr. Bigelow,

House adjourned until two o'clock P. M.

W. S. BAXTER,
Chief Clerk.

AFTERNOON SESSION.

HOUSE OF REPRESENTATIVES,
Wednesday, November 29, 1871,
2 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Barstow, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Judson, Kerns, Lasater, Maxwell, Moore, Noyes, McConaha, More, Maxon, Ping, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Hovey, Hinkley, Lloyd and Scott.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 143—An act to provide for the incorporation of towns.

H. B. No. 138—An act in relation to female suffrage.

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

H. S. for C. B. No. 9 and H. B. No. 20—An act to amend an act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

C. B. No. 24—An act relative to the location of the county seat of Klikitat county.

H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways."

C. B. No. 32—An act for the relief of Snohomish county.

C. B. No. 46—An act to authorize James Huntington & Son to settle with Cowlitz county.

C. M. No. 1—Praying Congress to appropriate $60,000 for removing obstructions from the upper Columbia river between Celilo and Wallula.

Respectfully submitted,

WM. P. WINANS,

Chairman.

The Speaker gave notice that he was about to sign the following:

C. B. No. 34—An act to encourage ship building.

C. B. No. 30—An act authorizing the Territorial auditor to cancel certain delinquent Territorial tax charged against Mason county.

C. B. No. 26—An act regulating taxes upon certain railroads.

H. B. No. 61—An act to amend an act entitled an act establishing a common school system for the Territory of Washington.

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

H. B. No. 118—An act creating a board of pilot commissioners and pilots on the Columbia river and bar.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the concurrence in House amendments to

C. B. No. 32—An act for the relief of Snohomish county,

Also that the President has signed the following:

Substitute for H. B.'s Nos. 34 and 61—An act establishing a common school system for the Territory of Washington.

H. B. No. 68—An act for the relief of Hill Harmon.

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

C. B. No. 34—An act to encourage shipbuilding.

C. B. No. 30—An act authorizing the Territorial auditor to cancel certain delinquent Territorial tax charged against Mason county.

H. B. No. 118—An act creating a board of pilot commissioners and pilots on Columbia river and bar,

H. B. No. 107—An act to authorize persons accused of crime to be witnesses in his or her own behalf.

H. B. No. 144—An act to incorporate the city of Kalama.

ELWOOD EVANS,
Chief Clerk.

Report of committee on

Substitute to H. B. 154—Relative to printing certain laws in pamphlet form.

On motion of Mr. Brazee,

The report of the committee was adopted.

Question being on the passage of the bill it was passed and title agreed to.

On motion of Mr. Bigelow,

The clerk was instructed to report the passage of the above to the Council.

C. B. No. 37—An act authorizing the resident physician of the insane asylum to rent the buildings at Fort Steilacoom.

Bill read first time.

No objections being made, bill read second time by title, and

On motion of Mr. Winans,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being "Shall the bill pass?" it was passed and title agreed to.

On motion of Mr. Lasater,

A committee of conference was appointed on disagreement between the two Houses on

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington.

The chair appointed Messrs. Lasater, Brazee and Noyes.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

H. B. No. 56—An act conferring upon boards of county commissioners certain powers in regard to swine,

Report the same back to the House without recommendation.

H. D. COCK,
Chairman.

On motion of Mr. Noyes,

The report of the committee was adopted.

H. B. No. 56—An act conferring upon boards of county commissioners certain powers in regard to swine.

Bill read third time.

The question being "Shall the bill, as amended, pass?" the bill was passed and title agreed to.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

I am instructed by the Council to inform the House of the passage of the following:

H. B. 155—An act making the sheriffs of Yakima, Klikitat, Kitsap and Jefferson counties *ex-officio* assessors of said counties.

Also, that the Council has refused to concur in the House amendments to

C. B. No. 35—An act to change the representation of the

Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific,

And request a committee of conference on the disagreement between the Houses.

Also, that the President has appointed Messrs. McReavey, O'Bryant and Joslyn as committee of conference on part of Council relative to

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington.

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. Winans,

Messrs. Kerns, McConaha and Brewer were appointed a committee of conference on disagreement of the Houses on

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

By permission of the House, Mr. Brazee submitted the following reports:

Mr. Brazee, chairman of the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. No. 51—An act to amend an act in relation to county and Territorial revenue.

H. B. No. 117—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Have have had the same under consideration, and have instructed me to return them to the House and recommend that they do not pass.

Respectfully submitted,

J. W. BRAZEE,
Chairman.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. No. 37—An act authorizing the resident physician of the insane asylum to rent the buildings at Fort Steilacoom.

H. B. No. 149—An act in relation to hogs in La Conner precinct, Whatcom county.

Also, that the Council has refused to concur in House amendments to

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington.

And requests the House to appoint a committee of conference on said disagreement.

ELWOOD EVANS,
Chief Clerk.

Mr. Judson, from Select committee, submitted the following report:

MR. SPEAKER—

The Select committee to whom was referred

H. B. No. 142—Substitute for C. B. No. 28 and H. B. No.'s 75, 99, 129, an act for the relief of Giles Ford and others,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend their passage with the following amendment:

Strike out of Council amendments "three hundred dollars" and insert "two hundred and fifty dollars."

STEPHEN JUDSON,
Chairman.

On motion of Mr. Judson,

The report of the committee was adopted.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives of the passage of

Substitute for H. B. No. 102—An act to allow a bounty for killing wild animals.

H. J. R. No. 10—Relative to the town of Kalama incorporating under the general incorporation law.

ELWOOD EVANS,
Chief Clerk.

On motion of Mr. Lasater,

The clerk was instructed to report the business of the House to the Council.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 29, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

Sir—I have the honor to inform you that I have approved the following entitled bill:

H. B. No. 59—An act to transfer certain Territorial funds into the county treasury of Stevens county.

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor of Washington Territory.

Mr. Brazee, from the committee on Ways and Means, made the following report:

MR. SPEAKER—

Your committee on Ways and Means, to whom was referred

H. B. No. 119—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

H. B. No. 139—An act to authorize the Territorial auditor to cancel certain delinquent taxes due from Whatcom county.

Have had the same under consideration and have instructed me to report the same back without amendment and recommend they do not pass.

J. W. BRAZEE,
Chairman.

On motion of Mr. Ping,

Mr. Cline was excused after to-day.

On motion of Mr. Coupe,

Mr. Sinclair was granted leave of absence after to-day.

H. B. No. 51—An act to amend "an act relating to collection of county and Territorial revenue."

On motion of Mr. More,

The report of the committee was adopted.

Report of committee on

H. B. No. 117—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue, approved Dec. 2, 1869.

On motion of Mr. Bigelow,

The report of the committee was adopted.

The Speaker gave notice that he was about to sign the following:

H. B. No. 143—An act to provide for the incorporation of towns.

H. B. No. 138—An act in relation to female suffrage.

H. B. No. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

H. S. for C. B. No. 9 and H. B. No. 20—An act to amend an

act entitled "an act to regulate the practice and proceedings in civil actions," approved Dec. 2, 1869.

C. B. No. 24—An act relative to the location of the county seat of Klikitat county.

H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways."

C. B. No. 32—An act for the relief of Snohomish county.

C. B. No. 46—An act to authorize James Huntington & Son to settle with Cowlitz county.

C. M. No. 1—Praying Congress to appropriate $60,000 for removing obstructions from the upper Columbia river between Celilo and Wallula.

H. B. No. 107—An act to authorize persons accused of crime to be a witness in his or her own behalf.

H. B. No. 144—An act to incorporate the city of Kalama.

Report of committee on

H. B. No. 119—An act to provide for the assessing and collecting of county and Territorial revenue.

On motion of Mr. Finkbonner,

The report of the committee was not adopted.

On motion of Mr. Lasater,

Bill was amended so as to apply to Walla Walla county only.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the non-concurrence in House amendments to

C. B. 31—An act to amend an act entitled "an act relating to county assessors,

And request a committee of conference on the disagreement between the Houses.

Also, that the President has appointed Messrs. Stewart,

Calhoun and Huntington as committee of conference on part of Council relative to disagreement on

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

ELWOOD EVANS,
Chief Clerk.

H. B. No. 119—An act to provide for the assessing and collecting of Territorial and county revenue.

Bill read third time.

The question being "Shall the bill, as amended, pass?" the ayes and noes were called with the following result:

Those voting in the affirmative were

Messrs. Abbott, Bigelow, Brazee, Coupe, Gray, Judson, Kerns, More and Whetstone—9.

Those voting in the negative were

Messrs. Brewer, Cock, Campbell, Cline, Finkbonner, Gosnell, Hovey, Maxwell, Maxon, McConaha, Noyes, Ping, Sinclair and Mr. Speaker—14.

Absent—Messrs. Ashpaugh, Barstow, Hinkley, Lloyd, Lasater, Scott and Winans.

So the bill was lost.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage of

H. B. No. 151—An act making the sheriff of Pierce county *ex-officio* assessor of said county.

ELWOOD EVANS,
Chief Clerk.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

H. B. No. 149—An act in relation to hogs in La Conner precinct, Whatcom county.

H. B. No. 155—An act making the sheriffs of Yakima, Jefferson, Klikitat and Kitsap counties *ex-officio* assessors of said county.

H. B. 102—An act relative to killing certain animals.

Respectfully submitted,

WM. P. WINANS,
Chairman.

Mr. Lasater, from Select committee, submitted the following report:

MR. SPEAKER—

Your Select committee to whom was referred

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington,

Beg leave to report that they have had the same under consideration and have agreed that the House recede from its amendment to said bill.

J. H. LASATER,
Chairman.

On motion of Mr. Lasater,

The report of the committee was adopted.

H. B. No. 139, with report of committee thereon recommending that it do not pass.

On motion of Mr. Judson,

The report of the committee was adopted.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage of

Substitute for H. B. No. 134—An act in relation to licenses.

H. B. No. 152—An act to authorize Wm. Simmons to take and hold the office of assessor in Clarke county, W. T.

ELWOOD EVANS,
Chief Clerk.

Mr. Cock, of the committee on Counties, made the following report:

MR. SPEAKER—

The committee on Counties to whom was referred

H. B. No. 122—An act to repeal an act entitled "an act for the relief of Whatcom county,

Have had the same under consideration and have instructed me to report it back without amendment and recommend its passage.

H. D. COCK,
Chairman.

On motion of Mr. Judson,

The report of the committee was adopted.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the signing by the Speaker of the following:

H. B. No. 143—An act to provide for the incorporation of towns.

H. B. No. 20—Substitute for C. B. No, 9, an act to amend an act entitled "an act to regulate the practice and proceedings in civil actions,"

C. B. No. 36—An act authorizing James Huntington to settle with Cowlitz county.

H. B. No. 148—An act to locate a road from Fort Colville to Wallula.

C. B. No. 39—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways."

C. B. No. 32—An act for the relief of Snohomish county.

H. B. No. 138—An act in relation to female suffrage,

Also the passage in the Council of the following:

H. B. No. 147—An act for the preservation of deer and other game, and to prevent trespassing with guns or dogs.

H. B. No. 133—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Also, that the President has appointed Mr. Foster as committee of conference on the part of the Council on disagreement of Houses on

C. B. No. 31—An act to amend an act relating to county assessors.

ELWOOD EVANS,
Chief Clerk.

Report of committee on

H. B. No. 122—An act to repeal an act entitled an act for the relief of Whatcom county.

Bill read third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

The following message was received from the Council by their chief clerk:

MR. SPEAKER—

COUNCIL CHAMBER,
November 29, 1871.

I am instructed by the Council to inform the House of the passage of the following:

H. B. No. 146—An act for the protection of sheep in Island county.

H. J. M. No. 13—Relative to the reduction of the Yakima Indian reservation.

Substitute to H. B. 154—Relative to printing certain laws in pamphlet form.

ELWOOD EVANS,
Chief Clerk.

H. B. No. 147—An act for the protection of deer in Island and Clarke.

On motion of Mr. Maxon,

The House concurred in Council amendments.

C. B. No. 40—An act making the sheriff of Mason county county assessor.

Bill read first time.

On motion of Mr. Judson,

The rules were suspended and the bill was read second time by title.

On motion of Mr. Winans,

The rules were further suspended and the bill was read third time.

The question being on the final passage of the bill it was passed and title agreed to.

On motion of Mr. Maxwell,

Mr. Gray was excused from further attendance after to-day.

On motion of Mr. Gray,

The House adjourned until seven o'clock P. M.

W. S. BAXTER,
Chief Clerk.

EVENING SESSION.

HOUSE OF REPRESENTATIVES,
Wednesday, November 29, 1871,
7 O'CLOCK P. M.

House met pursuant to adjournment.

Mr. Speaker in the chair.

Upon calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Brewer, Bigelow, Cock, Cline, Coupe, Campbell, Finkbonner, Gray, Gosnell, Hovey, Judson, Kerns, Lasater, Maxwell, More, Maxon, McConaha, Noyes, Ping, Sinclair, Whetstone, Winans and Mr. Speaker.

Absent—Messrs. Ashpaugh, Barstow, Hinkley, Lloyd and Scott.

On motion of Mr. Maxon.

House took a recess for fifteen minutes.

At the expiration of 15 minutes the House was called to order.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 29, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

SIR: I have the honor to inform you that I have approved the following entitled bills:

H. B. No. 138—An act to locate a Territorial road from the mouth of Mill creek, on the Willopa river, Pacific county, to intersect with the military road running from Monticello to Olympia.

H. B. No. 104—An act to protect the Territorial capitol from fire.

H. B. No. 126—An act in relation to road tax in Kitsap county.

H. B. No. 127—An act to pay the expenses of the joint committee to visit the Territorial university.

H. B. No. 132—An act to amend an act entitled "an act authorizing a special tax for the county of Clarke to pay the indebtedness of said county.

H. B. No. 84—An act to amend an act entitled "an act to incorporate the city of Port Townseud, Jefferson county, Washington Territory.

H. B. No. 81—An act to regulate fees and costs of sheriffs in the counties of Kitsap, Snohomish and Jefferson.

H. B. No. 70—An act to change the name of Almanson Morey to Almanson Lovelace.

H. B. No. 66—An act to repeal an act entitled "an act to provide payment for quartermaster general."

H. B. No. 65—An act in relation to Territorial auditor.

Substitute for H. B. No. 32—An act to regulate elections and prescribe the tenure of office therein.

I am sir,

Very respectfully,

Your obedient servant,

EDWARD S. SALOMON,

Governor of Washington Territory.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the signing by the President of

H. B. No. 151—An act making the sheriff of Pierce county *ex-officio* assessor of said county.

H. B. No. 149—An act in relation to hogs in La Conner precinct, Whatcom county.

C. B. No. 46—An act to authorize James Huntington & Son to settle with Cowlitz county.

H. B. 155—An act making the sheriffs of Yakima, Klikitat, Kitsap and Jefferson counties *ex-officio* assessors of said counties.

An act to authorize Wm. M. Simmons to take and hold the office of assessor of Clarke county.

ELWOOD EVANS,

Chief Clerk.

On motion of Mr. Noyes,

C. B. No. 35—An act to change the representation of the

Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific,

Was ordered to the Council with request that the original bill be returned to the House.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the concurrence in House amendments to

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

ELWOOD EVANS,
Chief Clerk.

Mr. Bigelow, of Thurston, introduced

H. J. R. No. 15—That the two Houses meet in joint convention in the House of Representatives, at 9 o'clock P. M., Nov. 29, 1871, to elect a Territorial school superintendent.

Resolution read first time.

On motion of Mr. Brazee,

Rules were suspended and resolution read a second time by title.

On motion of Mr. Bigelow,

Rules were suspended, resolution was read a third time and passed.

The question being "Shall the resolution now pass?" it was passed.

On motion of Mr. Winans,

The clerk was instructed to report forthwith to the Council the passage of said resolution.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

H. B. No. 79—An act to make perfect titles to lands in Washington Territory.

H. B. No. 140—An act for the relief of L. L. Moore.

H. B. No. 150—An act to provide for building a court house and jail in Clarke county.

ELWOOD EVANS,
Chief Clerk.

Mr. Judson, of Pierce and Mason, introduced

H. J. R. No. 16—Requiring Territorial officers to file bonds within 20 days after the passage of this resolution.

Resolution read first time.

Resolved by the House, the Council concurring, That all Territorial officers shall file bonds as required by law, within twenty days after the passage of this resolution, and any officer failing to do so shall be removed by the Governor.

On motion of Mr. Lasater,

The rules were suspended and the resolution was read second time.

On motion of Mr. Bigelow,

The rules were further suspended and the resolution read third time and passed.

The question being "Shall the resolution now pass?" it was passed.

By permission of the House the clerk was instructed to report forthwith to the Council.

Mr. Winans from the committee on Enrolled Bills, made the following report:

MR. SPEAKER—

Your committee have compared and find correctly enrolled the following:

Substitute for C. B. No. 13—An act defining the rights of persons and property as affected by marriage.

H. B. No. 142—Substitute for C. B. 28, and H. B's 75, 99 and 129, an act for the relief of Giles Ford and others.

H. B. No. 150—An act providing for the building of court house and jail in Clarke county,

H. B. No. 146—An act for the protection of sheep in Island county.

H. J. M. No. 13—Relative to the reduction of the Yakima Indian reservation.

H. B. No. 147—An act for the preservation of deer and other game, and to prevent trespassing with guns or dogs.

H. B. No. 79—An act to make perfect titles in Washington Territory,

C. B. No. 37—An act authorizing the resident physician of the insane asylum to rent the buildings at Fort Steilacoom.

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington.

H. B. No. 140—An act for the relief of L. L. Moore,

H. B. No. 154—An act providing for the publication and distribution of certain laws.

H. B. No. 134—An act in relation to licenses,

H. B. No. 133—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Respectfully submitted,

WM. P. WINANS,

Chairman.

On motion of Mr. Cock,

A committee of conference was appointed to confer with a like committee on the part of the Council on disagreement of the two Houses on

H. B. No. 153—An act for the relief of W. S. Baxter.

Whereupon the Speaker appointed Messrs. Cock, Hovey and Cline.

Mr. Lasater offered the following resolution, which was unanimously adopted:

Resolved, That the thanks of this House are due and are hereby tendered to Hon. J. J. H. Van Bokkelen for the faithful manner in which he has discharged the duties of Speaker of the House during the third biennial session of the Legislative Assembly of the Territory of Washington.

Message from the Council by its Chief Clerk, in the following words:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

ELWOOD EVANS,
Chief Clerk.

The Speaker gave notice that he was about to sign the following:

H. B. No. 149—An act in relation to hogs in La Conner precinct, Whatcom county.

H. B. No. 155—An act making the sheriffs of Yakima, Jefferson, Klikitat and Kitsap counties *ex-officio* assessors of said county.

H. B. 102—An act relative to killing certain animals.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the passage of

H. J. R. No. 12—Relative to the incorporation of Port Townsend.

H. B. No. 149—An act for the relief of H. R. Hatch.

C. B. No. 7—An act to authorize married women to transact business in their own names as sole traders.

H. J. R. No. 15—Relative to joint convention to elect Territorial school superintendent.

ELWOOD EVANS,
Chief Clerk.

Message from the Governor by his private secretary, as follows:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 29, 1869.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of Legislative Assembly of Washington Territory:

SIR: I have the honor to inform you that I have approved the following bills:

H. B. 109—An act to locate a Territorial road from Walla Walla city, in Walla Walla county, to Fort Colville, in Stevens county.

H. B. No. 46—An act to amend an act entitled "an act in relation to roads, ferries, bridges and travel on public highways."

H. B. No. 108—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties," approved December 2, 1869.

C. B. No. 23—An act in relation to private seals.

C. B. No. 27—An act to change the boundaries of Cowlitz and Clarke counties.

H. B. No. 125—An act to amend an act entitled "an act to prevent hogs trespassing in certain counties, approved December 2, 1869.

An act in relation to female suffrage.

H. B. No. 90—An act to make valid the location of the Territorial road from Boisfort prairie, in Lewis county, intersecting

the military road at a point above Henry Jackson's in Cowlitz county.

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor Washington Territory.

The hour having arrived for the two Houses to meet in joint convention to elect Territorial school superintendent, the Council appeared within the bar of the House.

The President of the Council in the chair.

On calling the roll the following members answered to their names:

On part of Council—Messrs. Calhoun, Huntington, Joslyn, McReavy, O'Bryant, Smith and the President.

Absent—Messrs. Foster and Stewart.

On part of House—Messrs. Abbott, Brazee, Bigelow, Brewer, Cock, Campbell, Coupe, Cline, Finkbonner, Gray, Gosnell, Hovey, Judson, Kerns, Lasater, Maxon, Moore, McConaha, Noyes, Ping, Winans, Whetstone and Mr. Speaker.

Absent—Messrs. Ashpaugh, Barstow, Lloyd, Hinckley, Maxwell, Scott and Sinclair.

The President announced a quorum being present, the convention would now proceed to the election of a Territorial superintendent of schools.

Thereupon Mr. Bigelow placed in nomination Nelson Rounds.
Mr. Judson placed in nomination Thos. M. Reed.

On motion of Mr. Smith of Thurston,

The candidates were voted for *viva vose.*

The following is the vote:

Those voting for Nelson Rounds were—

Of the Council—Messrs. Calhoun, Huntington, Joslyn, McReavy, Smith and the President—6.

Of the House of Representatives—Messrs. Bigelow, Cock,

Campbell, Coupe, Finkbonner, Hovey, Kerns, Maxon, McComa-ha, Winans and the Speaker—12.

Those vôting for Thos. M. Reed were—

Of the Council—Mr. O'Bryant.

Of the House of Representatives—Messrs. Abbott, Brace, Cline, Gray, Gosnell. Judson, Lasater, Moore, Noyes, Ping, Whetstone—11.

Whole number of votes cast, 30.

Necessary to a choice, 16.

Nelson Rounds received 18 votes.

Mr. Rounds having received a majority of all the votes cast, was declared duly elected Territorial superintendent of schools.

The convention having finished the business for which it was convened,

On motion of Mr. Lasater,

The joint convention adjourned.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 29, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

Sir—I have the honor to inform you that I have approved the following entitled bills:

Substitute for H. B. No. 102—An act to allow a bounty for killing wild animals.

H. B. No. 152—An act to authorize Wm. Simmons to take and hold the office of assessor in Clarke county, W. T.

H. B. No. 97—An act to organize the county of Whitman.

I am sir,

Very respectfully,

Your obedient servant,

EDWARD S. SALOMON,

Governor of Washington Territory.

The Speaker gave notice that he was about to sign the following:

Substitute for C. B. No. 13—An act defining the rights of persons and property as affected by marriage.

H. B. No. 142—Substitute for C. B. 28, and H. B's 75, 99 and 129, an act for the relief of Giles Ford and others.

H. B. No. 150—An act providing for the building of court house and jail in Clarke county,

H. B. No. 146—An act for the protection of sheep in Island county.

H. J. M. No. 13—Relative to the reduction of the Yakima Indian reservation.

H. B. No. 147—An act for the preservation of deer and other game, and to prevent trespassing with guns or dogs.

H. B. No. 79—An act to make perfect titles in Washington Territory,

C. B. No. 37—An act authorizing the resident physician of the insane asylum to rent the buildings at Fort Steilacoom.

C. B. No. 33—An act making an appropriation to meet the expenses incurred by the commissioners to locate the penitentiary of the Territory of Washington.

H. B. No. 140—An act for the relief of L. L. Moore,

H. B. No. 154—An act providing for the publication and distribution of certain laws.

H. B. No. 134—An act in relation to licenses,

H. B. No. 133—An act to amend an act to provide for the assessing and collecting of Territorial and county revenue.

Mr. Winans from the committee on Enrolled Bills, made the following report:

Mr. Speaker—

Your committee have compared and find correctly enrolled the following:

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

H. B. No. 149—An act for the relief of H. R. Hatch,

H. J. R. No. 12—Relative to Port Townsend forming town organization.

H. J. R. No. 16—Requiring Territorial officers to file bonds within 20 days after the passage of this resolution.

H. J. R. No. 15—That the two Houses meet in joint convention in the House of Representatives, at 9 o'clock P. M., Nov. 29, 1871, to elect a Territorial school superintendent.

Respectfully submitted,

WM. P. WINANS,

Chairman.

Mr. Lasater offered the following resolution which was unanimously adopted:

Resolved, That the thanks of this House are due and are hereby tendered to W. S. Baxter, chief clerk, and W. B. Daniels, assistant clerk of this House, A. B. Young, enrolling clerk, for the faithful manner in which they have discharged their duties. We also tender our thanks to D. P. Wallace, sergeant-at-arms, and David Helser, doorkeeper for their efficient and valuable services to this House during the present session of the Legislative Assembly.

C. B. No. 7—An act to authorize married women to transact business in their own names as sole traders.

Bill read first time.

Mr. Lasater moved that the rules be suspended and bill be read second time now.

Motion lost.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage of the following:

H. J. R. No. 16—Requiring Territorial officers to give bonds within twenty days.

Also, that the President has appointed Messrs. Smith and

O'Bryant as committee of conference on the part of the Council on disagreement of Houses on

H. B. No. 153—An act for the relief of William S. Baxter.

ELWOOD EVANS,
Chief Clerk.

The following message was received from the Council by its clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER:

I am instructed by the Council to inform the House of Representatives of the passage of

H. B. No. 153—An act for the relief of W. S. Baxter,

With amendments, requesting the concurrence of the House in said amendments.

ELWOOD EVANS,
Chief Clerk.

Mr. Cock, from Select committee, submitted the following report:

MR. SPEAKER—

The Select committee to whom was referred

H. B. No. 153—An act for the relief of W. S. Baxter,

Have had the same under consideration, and have instructed me to report the same back to the House and recommend its passage with the following amendments:

That there be appropriated for the relief of the chief clerk of each House the sum of $50, and for each assistant clerk the sum of $25.

H. D. COCK,
Chairman.

On motion of Mr. Coupe,

The report of the committee was adopted.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the passage by the Council of the following:

C. B. No. 40—An act making the sheriff of Mason county county assessor.

ELWOOD EVANS,
Chief Clerk.

H. B. 180—Substitute for H. B. 153, as amended by committee of conference.

Bill read first time.

On motion of Mr. Judson,

The rules were suspended and the bill was read a second time by title.

On motion of Mr. Bigelow,

Now was assigned as the time for the third reading of the bill.

Bill read third time.

The question being on the passage of the bill it was unanimously passed and title agreed to.

In response to the complimentary resolution, the Speaker made the following remarks:

GENTLEMEN—

Our session being about to close, I would thank you for the honor you have conferred upon me by calling me to the chair as your presiding officer. Since I have had the honor to preside over this honorable body, I have been censured by several members of this House in relation to my appointment of committees, accusing the Speaker, in selection of committees, of exercising a personal feeling.

In appointing the committees, it was far from my mind to make a personality of the same or not to do justice to those who were opposed to me politically.

After the reprimand I received from several members of the

House, I examined authority on parliamentary rules and found that what I had done inadvertently in my rulings would be fully sustained by the rules of the Parliament of Great Britain and the Congress of the United States. But I do not cite those authorities as an excuse, for at the time of making my rulings I had not examined authorities on the subject, and the error was committed through heedlessness and carelessness, for which I ask the lenience of the House.

I must say that in my connection as Speaker of this House, with Hon. E. S. Salomon, Governor of this Territory, and C. C. Clements, Secretary, that they have treated the House with all due respect, rendering all facilities to our body that could be asked of the executive officers of the Territory.

Gentlemen, this being the fifth session that I have had the honor to be a member of the Legislative Assembly of the Territory of Washington, and the first time I have been honored by being selected as the presiding officer thereof, for which honor you will accept my thanks, and I cannot separate from you without expressing my great gratitude to you for the manner in which you have conducted yourselves.

Gentlemen, I will now bid you adieu, hoping a pleasant return to your homes, and that when you approach the doors of your homes that you will be met with the smiling faces of your families and not find any of them missing or prostrated with sickness.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the signing by the President of the following:

H. B. No. 140—An act for the relief of L. L. Moore.

H. B. No. 134—An act in relation to licenses.

H. B. No. 150—An act to provide for building a court house and jail in Clarke county.

H. B. No. 147—An act for the protection of deer in Island and Clarke.

Substitute to H. B. 154—Relative to printing certain laws in pamphlet form.

H. B. No. 79—An act to make perfect titles to lands in Washington Territory.

H. J. R. No. 16—Requiring Territorial officers to file bonds within twenty days.

H. J. R. No. 15—Relative to joint convention to elect Territorial school superintendent.

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

H. J. R. No. 12—Relative to the incorporation of Port Townsend.

Also the passage in the Council of the following:

Substitute for H. B. 153—An act for the relief of clerks of the Legislature.

C. J. R. No. 8—Relative to frauds committed by certain Territorial officers.

ELWOOD EVANS,
Chief Clerk.

Message from the Governor by his private secretary, as follows:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 29, 1869.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of Legislative Assembly of Washington Territory:

SIR: I have the honor to inform you that I have approved the following bills:

Substitute for H. B. 111—An act to cure the defects in certain conveyances and to declare them good and lawful deeds to the lands described therein.

H. B. No. 107—An act to authorize persons accused of crime to be witnesses in his or her own behalf.

H. B. No. 68—An act for the relief of Hill Harmon.

H. B. No. 144—An act to incorporate the city of Kalama.

H. B. No. 89—An act amendatory of an act entitled "an act amendatory of an act entitled an act to incorporate the town of Olympia."

Substitute for H. B.'s Nos. 34 and 61—An act establishing a common school system for the Territory of Washington.

H. B. No. 118—An act creating a board of pilot commissioners and pilots on Columbia river and bar,

I am sir,

Very respectfully,

Your obedient servant,

EDWARD S. SALOMON,

Governor of Washington Territory.

C. J. R. No. 8—Relative to frauds committed by certain Territorial officers.

Resolution read first time.

WHEREAS, The examination of the joint committee appointed to investigate the accounts of the Territorial auditor and treasurer, discloses the fact that gross frauds have been perpetrated upon the Territorial treasury by fraudulent cost bills and other divers ways; therefore,

Be it resolved by the Council, the House concurring, That the prosecuting attorneys of the several districts are hereby instructed to commence actions, civil or criminal, or both, against any and all persons who may have thus fraudulently or unlawfully obtained Territorial funds.

On motion of Mr. Lasater,

The rules were suspended and the resolution was read second time.

On motion of Mr. Bigelow,

The rules were further suspended and the resolution read third time and passed.

The question being "Shall the resolution now pass?" it was passed.

On motion of Mr. Lasater,

The clerk was instructed to report the passage of the above to the Council.

Mr. Lasater presented the following resolutions which were unanimously adopted:

Resolved, That the thanks of this body are due and are hereby tendered to Hon. E. S. Salomon, Governor of Washington Territory, for his prompt attention to the acts of the Legislative Assembly, and in his approval of their measures enacted into laws.

Resolved, That the thanks of the House of Representatives be and the same is hereby tendered to the Hon. J. C. Clements, Secretary of Washington Territory, for the uniform kindness and courtesy the members have received from him, and for his promptness in procuring the necessary funds for paying the per-diem of the members and officers.

On motion of Mr. Brazee,

The House adjourned until 10 o'clock to-morrow morning.

W. S. BAXTER,
Chief Clerk.

HOUSE OF REPRESENTATVIES,
Thursday, November 30, 1871.

House met pursuant to adjournment.

Mr. Speaker in the chair.

On calling the roll the following members answered to their names:

Messrs. Abbott, Brazee, Bigelow, Brewer, Cock, Cline, Coupe,

Campbell, Finkbonner, Gosnell, Hovey, Judson, Kerns, Lasater, Maxwell, Maxon, More, McConaha, Noyes, and Mr. Speaker.

Absent—Messrs. Ashpaugh, Barstow, Gray, Hinckley, Lloyd, Scott, Sinclair, Winans, Whetstone and Ping.

Journal of yesterday read and approved.

Prayer by the Chaplain.

The Speaker gave notice that he was about to sign the following:

C. B. No. 35—An act to change the representation of the Council district composed of the counties of Clarke, Cowlitz, Wahkiakum and Pacific.

H. B. No. 149—An act for the relief of H. R. Hatch.

H. J. R. No. 12—Relative to Port Townsend forming town organization.

H. J. R. No. 16—Requiring Territorial officers to file bonds within 20 days after the passage of this resolution.

H. J. R. No. 15—That the two Houses meet in joint convention in the House of Representatives, at 9 o'clock P. M., Nov. 29, 1871, to elect a Territorial school superintendent.

The following message was received from the Governor by his private secretary:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 30, 1871.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of
Legislative Assembly of Washington Territory:

SIR: I have the honor to inform you that I have approved the following entitled bills:

H. B. No. 140—An act for the relief of L. L. Moore.

H B. No. 64—An act in relation to Territorial treasurer.

H. B. No. 146—An act for the protection of sheep in Island county.

H. B. No. 119—An act to provide for the assessing and collecting of Territorial and county revenue.

H. B. No. 20—Substitute for C. B. No, 9, an act to amend an act entitled "an act to regulate the practice and proceedings in civil actions."

Substitute for H. B. 153—An act for the relief of clerks of the Legislature.

I am sir,
Very respectfully,
Your obedient servant,
EDWARD S. SALOMON,
Governor Washington Territory.

The following message was received from the Council by their clerk:

COUNCIL CHAMBER,
November 29, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of Representatives of the signing by the President of

C. B. No. 2—An act for the appointment of a resident physician for the insane asylum and prescribing his duties.

H. B. No. 4—An act prescribing the penalty for the discharge of ballast into the navigable waters of this Territory.

ELWOOD EVANS,
Chief Clerk.

The Speaker appointed Messrs. Judson and McConaha on committee on Enrolled Bills.

The following message was received from the Council by their chief clerk:

COUNCIL CHAMBER,
November 30, 1871.

MR. SPEAKER—

I am instructed by the Council to inform the House of the signing by the President of

H. B. No. 73—An act authorizing the county commissioners of Kitsap county to transcribe the records of said county.

H. B. No. 56—An act conferring upon boards of county commissioners certain powers in regard to highways.

An act relating to the county auditors of Island and Snohomish counties.

H. J. M. No. 6—Praying for mail service from Port Townsend to Coupeville, *via* Ebey's landing.

ELWOOD EVANS,
Chief Clerk.

Message from the Governor by his private secretary, as follows:

TERRITORY OF WASHINGTON,
EXECUTIVE OFFICE,
Olympia, November 29, 1869.

HON. J. J. H. VAN BOKKELEN,
Speaker House of Representatives of Legislative Assembly of Washington Territory:

SIR: I have the honor to inform you that I have approved the following bills:

H. B. No. 73—An act to authorize the county commissioners of Kitsap county to transcribe the records of said county.

An act relative to the county auditors of Island and Snohomish counties.

H. B. No. 56—An act conferring upon boards of county commissioners certain powers in regard to highways.

H. B. No. 150—An act providing for the building of court house and jail in Clarke county,

H. B. No. 79—An act to make perfect titles in Washington Territory,

H. B. No. 147—An act for the preservation of deer and other game, and to prevent trespassing with guns or dogs.

H. B. No. 154—An act providing for the publication and distribution of certain laws.

H. B. No. 134—An act in relation to licenses,

C. B. No. 37—An act authorizing the resident physician of the insane asylum to rent the buildings at Fort Steilacoom.

I am sir,

Very respectfully,

Your obedient servant,

EDWARD S. SALOMON,

Governor of Washington Territory.

---

*

MEMORIAL

RELATIVE TO THE FREE NAVIGATION OF THE SKAGIT RIVER.

To the Honorable Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Legislative Assembly of the Territory of Washington, would respectfully represent that the Skagit river, in this Territory, could be made navigable for river steamers for a distance of sixty to seventy miles at all seasons of the year; that said river at and near its mouth is obstructed with one drift or jam to the great exclusion of navigating the same, thereby retarding the settlement of the Skagit valley, which contains an area of three hundred thousand acres of our finest lumber and farming lands; that the Skagit river passes through the Cascade range of mountains, affording an easy and accessible pass from the Yakima valley to the Sound country, while the mountains through which its head waters pass abound in rich mineral wealth; that learning from the engineer of the North Pacific railroad company, who has examined said section of the country, that the obstruction can be removed for the sum of ten thousand dollars and thereby open a channel for immigration to

a tract of land capable of sustaining over one thousand families.

Your memorialists would therefore respectfully pray your honorable bodies to pass an act appropriating ten thousand dollars for the removal of said drift or jam, and the making of said river free of obstructions and navigable.